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ABSTRACT

Vocational technical institutes in Washington were developed in some common school districts as single-purpose institutions for vocational training programs. These institutes have offered secondary and post secondary vocational education programs. Since the 1967 Community College Act there have been several studies concerning the structure and organization of vocational education. The Senate Select Committee on Vocational Education offers recommendations for the establishment of a commission on vocational education based on a special study concerning the desirability of modifying the state's vocational education system. Several fundamental issues have underlined the arguments surrounding vocational education: philosophical differences, jurisdictional differences, and the question of compatibility between desired state and federal policies and the administration of vocational programs. The philosophical problem is emotional and therefore difficult to resolve. The second problem is concerned with the lack of a clear legislative mandate for the jurisdictional responsibilities for providing educational services. The third problem is concerned with the use of federal funds under the guidance of federal policies. Different viewpoints are presented. Appended materials include the Senate resolutions and the select committee; Substitute Senate Bill No. 2463 and a bill analysis; budget excerpts; correspondence; excerpts from Title 20, U.S. Code Annotated; and official statements. (Author/EC)

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THE ORGANIZATION OF VOCATIONAL EDUCATION IN WASHINGTON STATE

REPORT AND RECOMMENDATIONS

OF THE

SENATE SELECT COMMITTEE

ON

VOCATIONAL EDUCATION

(SR 73-71 and SR 75-6)

CE005537

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OLYMPIA, WASHINGTON
MARCH 10, 1975

SENATE SELECT COMMITTEE ON VOCATIONAL EDUCATION

Senator Gordon Sandison, Co-Chairman and
Chairman of the Senate Higher Education Committee

Senator Joe Stortini, Co-Chairman and
Chairman of the Senate Education Committee*

Senator Sam Guess, Member,
Senate Higher Education Committee

Senator Hubert Donohue, Member,
Senate Higher Education Committee

Senator Gary Odegaard, Member,
Senate Education and Higher Education Committees**

Senator Charles Newschwander, Member,
Senate Education Committee

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Marilyn Hammond, Research Analyst, Senate Minority Caucus
Jeff Riddle, Research Analyst, Senate Education Committee
Nancy Juarez, Research Analyst, Senate Education Committee

* Senator Stortini, in January, 1975, replaced Senator Peter von Reichbauer who had previously replaced Senator Booth Gardner, all serving in the position on the Select Committee as Chairmen of the Senate Education Committee.

** Senator Odegaard was initially appointed to the Select Committee as a member of the Senate Education Committee on which he served during the term January 1, 1973, to December 31, 1974. In the convening of the 1975 Legislative Session, Senator Odegaard was appointed as a member of the Senate Higher Education Committee.

Washington State Senate

March 10, 1975

Governor Daniel J. Evans and
Members of the 1975 Legislature

Senate Resolution 1973-71 directed the establishment of a Senate Select Committee on Vocational Education to review and make recommendations on the organizational structure necessary to best provide vocational education opportunities for the state's constituents. That study was continued by Senate Resolution 1975-6 for the Regular Session in 1975.

The issue of vocational education delivery systems has been before the Legislature for many years in one form or another. It is an issue which has been much discussed; the debates have ranged from philospohical to jurisdictional differences, and are often unfortunately argued on emotional bases.

The present study was prompted by conflicting bills introduced during the 1973 session, one offered by the Superintendent of Public Instruction and another by the community college system. Rather than to pass either bill, the Senate elected to undertake to study mandated by Senate Resolution 73-71.

In carrying out this study, the Senate Select Committee has met twelve times; and has held many individual discussions with representatives of the state and federal educational systems and the governor's office. During these discussions, the Select Committee has visited vocational technical institute and community college occupational facilities.

The attached report, and the Select Committee's recommended legislation (SSB 2463) speak to two specific goals:

> First, clearly define the jurisdictional responsibilities between secondary and postsecondary educational systems, with a reiteration that it is the general policy of the state that both systems are to offer comprehensive educational programs, including a strong emphasis on vocational and occupational education; and
>
> Second, that a single agency be established for the purposes of developing a state plan for vocational education which would be implemented and carried out by the respective secondary and postsecondary systems, and to be the agency to make final policy determinations on state plan changes or any disputes arising out of vocational education differences between the respective systems.

To understand the full ramifications of the federal and state relationships of vocational education, there have been contacts with federal officials in the Office of Education and the House of Representatives. Congressman Lloyd Meeds, who serves as a member of the Special House Education and Labor Committee Study on Vocational Education has been most helpful in providing current information on vocational administration both from Congressional and Office of Education perspectives.

The proposed legislation, Substitute Senate Bill 2463, is enclosed as Appendix 3 of this report.

Respectfully submitted,

SENATE SELECT COMMITTEE ON VOCATIONAL EDUCATION

GORDON SANDISON, Co-Chairman

JOE STORTINI, Co-Chairman

HUBERT DONOHUE

CHARLES NEWSCHWANDER

SAM GUESS

GARY ODEGAARD

THE ORGANIZATION OF VOCATIONAL EDUCATION

IN WASHINGTON STATE

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THE ORGANIZATION OF

VOCATIONAL EDUCATION

IN WASHINGTON STATE

(Senate Resolutions 73-71 and 75-6)

PURPOSE

The purpose of this report is to present the findings of the Senate Select Committee on Vocational Education as directed by Senate Resolutions 1973-71 and 1975-6 ". . . to carry out a special study . . . concerning the desirability of modifying the state's vocational education systems. . ." (Appendices 1a and 1b)

RECOMMENDATIONS

The Senate Select Committee on Vocational Education recommends:

1. *That the Legislature reaffirm that the State of Washington is best served by comprehensive educational programs which will provide a strong emphasis on vocational and occupational training.*

2. *That vocational training is best provided by cooperation between existing delivery systems in the common schools, area vocational technical institutes, and the community colleges.*

3. *That in order to avoid jurisdictional confusions there be a clear definition of secondary and postsecondary education program systems.*

4. *That the Coordinating Council on Occupational Education, established as part of the 1967 Community College Act, be abolished and replaced by a Commission on Vocational Education whose functions shall be:*

   a. *state plan development for vocational education, (for federal requirements, see Appendix 8, pgs. "365-71")*

   b. *supervision of the state plan, although daily administration should be the responsibility of the secondary and postsecondary systems, and*

   c. *adjudication of any disputes arising between the systems in the implementation of the state plan.*

5. *That to the extent possible, cooperative agreements worked out locally between common school and community college districts which will best provide vocational opportunities to the state's citizens, be authorized as long as they do not deviate from the general policies set forth in statute or the state plan for vocational education. Where differences or plan deviations occur, an attempt should be first made to resolve them at the secondary and postsecondary state agency level, and only program or policy disputes should be referred to the Commission for its final determination.*

6. *That the Commission be composed of five citizen members appointed by the Governor who are well versed in the vocational needs of industry, labor and agriculture, and the Superintendent of Public Instruction and the Director of the State Board for Community College Education.*

7. *That the present staff positions of the Coordinating Council for Occupational Education, whose primary function is state policy plan development, be retained with the new Commission of Vocational Education; but that those positions dedicated to program administration be transferred respectively to the secondary and postsecondary systems if it is determined that such functions previously were provided in direct support of those systems.*

8. *That the remaining administrative functions of the Coordinating Council on Occupational Education not directly related to vocational education policy development and implementation be transferred to an appropriate administrative agency.*

9. *That the present five vocational technical institutes remain in the common school system, that students may choose between varied vocational training modes.*

10. *That high school completion programs presently offered by the community colleges be under the administrative purview of the Superintendent of Public Instruction, although such adult high school completion programs which could be most effectively carried out under contract with the community colleges should be so authorized by the Superintendent of Public Instruction.*

11. *That all statutory references to vocational education be included within a single RCW chapter, which would:*

    a. *emphasize the importance of vocational education programs,*

    b. *facilitate easy reference to all vocational statutory provisions, and*

    c. *avoid the possibility of amendatory conflicts between vocational references in various RCW education chapters and sections.*

BACKGROUND

Historically, vocational-technical institutes were developed in some of the state's common school districts as single-purpose institutions to provide vocational training programs. For some time, these institutes have offered both secondary and postsecondary vocational education programs.

The 1967 Community College Act transferred the responsibility for the postsecondary education at the freshman and sophomore levels from the K-12 system to the state's new system of community colleges; and the Act specifically included postsecondary vocational education programs. The existing vocational-technical institutes operating under the jurisdiction of local school districts were given the option to transfer to the community colleges or remain with the school districts. (See page 4.) The Community College Act forbade the establishment of any additional single-purpose vocational-technical institutes under the auspices of the common schools.

Since 1967 there have been several studies concerning the structure and organization of vocational education. The most recent of these studies was mandated by the 1971 Legislative Session, under Senate Concurrent Resolution 71-23. The results of the SCR 71-23 study were inconclusive because of a lack of pertinent common data bases regarding vocational education programs. Hence, structural organization, which was the basic policy question, went unanswered.

Legislation introduced in the 1973 Session at the request of the Superintendent of Public Instruction (HB 415) and of the State Board for Community College Education (SB 2442) presented conflicting philosophical approaches and raised a variety of questions concerning the appropriate approach to vocational education programs. House Bill 415 passed the House, but the Senate did not take final action on the bills largely because the basic question regarding the fate of single-purpose vocational-technical institutes was not resolved either philosophically or jurisdictionally by the Senate.

Instead, Senate Resolution 73-71 directing this study was enacted after extensive floor debate. (Appendix 1a)

FINDINGS

For many years two fundamental issues have underlined the arguments surrounding vocational education: philosphical differences and jurisdictional differences.

Philosophical Premises. The philosophical argument is emotional, and therefore difficult to resolve. The basic question -- what is the best method of teaching vocational education -- centers around two conflicting points of view. There are those who feel that vocational training should be specifically oriented to teaching, in the shortest

period of time, the skills necessary to assure a person entry into the job market. (See Appendix 12) Then there are those who subscribe to the philosophy that persons should be exposed to liberal arts influence during vocational training so that they can live as well-rounded citizens of their communities and be more readily adaptable to retraining and changing job requirements.

Many studies have tried to document the effectiveness of one philosophy over another. These studies have been inconclusive.

Vocational Technical Institutes. There is clear evidence that there should be varied educational program opportunities to attract and train persons. For that reason, the Select Committee does not recommend a fundamental change in the five vocational technical institutes currently functioning within the common school system. Some of the programs offered by these institutes have been deemed outstanding in providing persons with skilled training. The Select Committee recommends that these five institutes be allowed to continue to offer a combination of secondary and postsecondary nongraded vocational programs (see Appendix 6b), which do not fit within a clear definition of secondary and postsecondary educational systems as otherwise discussed in this report.

The Select Committee also recommends that there be no further postsecondary vocational technical institutes established within the common school system. It further recommends that the community colleges should be encouraged to explore the method of delivering vocational education at the postsecondary level and not foreclose the possibility that for certain job skills or geographical areas the vocational technical model may be most appropriate and might therefore be implemented by the community college system.

In 1967 when the responsibility for the management of community colleges was transferred from the Superintendent of Public Instruction to the State Board for Community College Education, the subject of vocational technical institutes was much debated, particularly regarding those strongly involved in postsecondary vocational offerings.

The compromise arrived at by the legislature was embodied in RCW 28B.50.770, wherein the fate of the existing vocational technical institutes was not unilaterally decided by legislative action but a procedure was established for local school boards electing to transfer a voc-tech institute from the common schools to the community colleges. A further proviso allowed that any public school district could relinquish administrative control over a vocational technical institute at the beginning of any fiscal biennium if by resolution dated before the preceding January 1, it would so inform the State Board of Education and the state and district community college boards.

At the time of passage of the 1967 act there were 12 vocational technical institutes in the state. Initially, six chose to join the community college system and six remained within the common school

system. Subsequently, one, Olympia Vocational-Technical Institute, elected to use the aforementioned proviso and transferred from the common schools to the community college jurisdiction. Therefore, there are now five remaining vocational technical institutes. They are Bates Vocational Technical Institute, under the auspices of the Tacoma School Board; Clover Park Educational Center operated by the Clover Park school district; Renton Vocational Technical Institute, under the Renton School Board; Lake Washington Vocational Technical Institute, operated by the Lake Washington School District in Kirkland; and the Bellingham Vocational Technical Institute of the Bellingham School system.

At the present time, secondary courses offerings by the vocational technical institutes range 18-35% of their curricular offerings. The average of postsecondary offerings by all five vocational technical institutes is approximately 75%.

Jurisdictional Responsibilities. The second major problem area has concerned the lack of a clear legislative mandate for the jurisdictional responsibilities for providing educational services. This has been compounded by constitutional, statutory, and traditional program differences.

For example, the State Constitution (Article 3, section 22) provides for an independently elected superintendent of public instruction who ". . . shall have supervision over matters pertaining to public schools . . ." Article 9, section 2 states:

> "The legislature shall provide for a general and uniform system of public schools. The public school system shall include common schools, and such high schools, normal schools, and technical schools as may hereafter be established."

A literal interpretation of the constitution would indicate that the superintendent of public instruction should have complete jurisdiction over all common schools, high schools and normal schools. Various Legislatures have subsequently changed the normal schools to state colleges, and the 1967 Legislature passed the Community College Act which removed community college programs from the jurisdiction of the Superintendent of Public Instruction. These actions indicate that it is legislative intent that there be secondary and postsecondary education systems. In the past, however, the Legislature has failed to make that distinction clear.

The reference in Article 9, section 2, of the Constitution to technical schools would imply that such schools should also be within the jurisdiction of the superintendent of public instruction. The Select Committee does not argue with that contention, but suggests that those technical schools be restricted to the programs that would normally be offered as part of secondary education; with the previously noted exception of the five currently operating vocational technical institutes.

As the legislature conclusively confronts these jurisdictional differences by specific statutory provisions, many conflicts expressed in the past (at times in the form of legislative proposals) will be settled.

Vocational Education Administration. Vocational educational program development has been complicated by three factors, the first two of which have already been discussed: the philosophical and jurisdictional problems of the past. The third remains: the question of compatibility between desired state policies and systems and federal policies and administration of vocational programs.

In 1947, the federal government initiated a strong emphasis on vocational education program development. The vocational offerings of the states were strengthened or developed primarily with the use of federal funds and under the guidance of federal policies. This was continued by the 1963 Vocation Education Act.

The most recent federal action on this subject was the vocational education amendments of 1968, which influenced developments in the State of Washington. For example, federal law and the procedures and regulations of the federal Office of Education specifically state there must be a sole agency for the receipt and allocation of federal vocational funds, and that such sole agency shall have the authority for the supervision of the state plan development.

(20 USCA Section 1248 (80))

"(8) The term "State board" means a State board designated or created by State law as the sole State agency responsible for the administration of vocational education, or for supervision of the administration thereof by local educational agencies in the state." (Appendix 8, pg. "360")
(Emphasis added)

The law provides an opportunity for states to submit a proposal for some mechanism other than the sole agency. However, to date no state in the nation has submitted such a proposal. The Select Committee considered such an alternative and corresponded with the Office of Education, asking them to consider the example of combining the current State Boards of Education and Community College Education into a joint agency, only for the purposes of vocational education plan development. The response was a technical yes; such an arrangement might satisfy the sole agency requirement, but such plan had not previously been approved (see Appendix 7).

The issue of administering vocational dollars is not restricted to the question of the sole agency requirements for the receipt and allocation of federal funds. It reflects the more fundamental problem of how to insure the best vocational educational systems for the state. The role of federal dollars at this time in the State of Washington is

rather small; for example, the State of Washington annually receives approximately $10 million worth of federal funds, while $160 million is provided by the state legislature and local school districts for secondary and postsecondary vocational programs. Therefore, the Select Committee was not motivated in its recommendations to establish a Commission for Vocational Education simply in order for the state to qualify for the receipt of federal funds.

Rather, the primary purpose of the Select Committee's recommendation to maintain a single agency is its recognition that the common schools and community colleges have not in the past demonstrated the ability to resolve their policy differences and provide necessary educational opportunities without the intervention of a third party.

For this reason, the primary purpose of the Commission, in the Select Committee's view, is the adjudication of disputes. The secondary purpose of the Commission is to initially establish a state plan 1/ for vocational education which is in the best interests of vocational and occupational training needs of the state. Corollary to that responsibility for plan development is performance auditing to insure that the systems are responding to the general policies of the state plan. And in order to do so, the Commission must be armed with sufficient authority and statutory guidance to make policy determinations when necessary, either for evaluating proposals to modify the state vocational educational plan or for resolving disputes arising therefrom.

The Federal Government is concerned that their funds are expended to encourage vocational education planning, as noted in a recent report, which commented:

"---State and local plans reflect compliance rather than planning; ...

---Requiring States to use a portion of whatever Federal funds are retained at the State level to improve the planning process. . ."2/

In fulfilling these purposes, it is not necessary to create a large state administrative bureaucracy. The Select Committee is cognizant of much criticism of the present administrative structure of vocational education in the state. In examining the current situation, the Select Committee has found that there is extensive staff effort within the Coordinating Council on Occupational Education which is directed to providing ongoing administrative services in support of vocational education programs at the secondary and postsecondary levels. This fact has been recognized this past year by an interlocal agreement between

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1/ The Federal requirements for "State Plans" are detailed in Appendix 8, 20 USCA section 1263, pages 365-71.

2/ Comptroller General of the United States, Report to the Congress, What Is The Role of Federal Assistance For Vocational Education?, Dec. 31, 1974, pg. ii & iv.

the Coordinating Council and the Superintendent of Public Instruction, whereby 31 staff years have been transferred administratively to his jurisdiction, although remaining as part of, and funded by the Coordinating Council. The Select Committee strongly urges that the Legislature and the Governor work jointly to reduce staff effort for the Commission of Vocational Education so that it is restricted to performing those key policy functions necessary to develop and maintain a state policy for vocational education and to adjudicate disputes arising therefrom. All other vocational education administrative personnel should be assigned to either the Superintendent of Public Instruction or the State Board for Community College Education. Those positions which are not necessary at the state level to fulfill either state or federal requirements should be abolished and the resulting federal and state funds freed should be disbursed to increase vocational program support at the common school and the community college level.

The State of Washington, along with other states, has been criticized in a recent federal report [3/] for what appears to be an extensive amount of administrative support at the state level, funded by federal funds (see Appendix 9). Although it can be argued that the use of federal funds at the state level is more than offset by the amount of state monies used at the local level, the federal government is considering amendments to the Vocational Education Act which would mandate greater level of matching funds (some propose on a 50-50 basis [4/] at the state level for vocational program administration) or limit administrative expenditures to 20 percent of the funds available. [5/]

At the present time the funding of the Coordinating Council for Occupational Education in carrying out state plan responsibilities is 94 percent federal and 6 percent state funds. (Appendix 6a) This percentage, of course, reduces significantly when all vocational administrative activities of the State Board for Community College Education and Superintendent of Public Instruction's office are added. However, in those two instances again, there is direct federal support, since the CCOE funds (with Federal dollars) seven staff positions in the SPI office, and five for the State Board for Community College Education.

Further, the Coordinating Council for Occupational Education presently undertakes administrative functions other than direct support for vocational education planning and implementation. These duties represent 33 staff positions dedicated to such activities as fire service training, veterans course approval, manpower training, etc. The Select Committee believes that administrative functions deter from policy and plan development, and such functions should be transferred to an appropriate administrative agency.

3/ Ibid, pgs 8, 10, 13 & 91

4/ Ibid, pg. iv

5/ Congressman Carl Perkins, remarks on proposed vocational education amendments of 1975, Congressional Record, Vol. 121, No. 16, Feb 6, 1975.

One criticism of the Coordinating Council for Occupational Education is its inability to make tough policy decisions because of statutory membership requirements. The nine members of the Council are three from the State Board of Education, three from the State Board for Community College Education, and three lay members appointed by the Governor representing industry, labor and agriculture. It has been argued that six of the nine members have vested interests which supersede their duties on the Coordinating Council. Regardless of the reason, it can be demonstrated that the Coordinating Council has not dealt in the past with significant policy issues despite repeated urgings from its staff and others. For this reason the Select Committee feels that the Coordinating Council must be abolished and replaced with a new Commission of persons oriented towards the goals of the proposed act.

The Executive Positions. Governor Evans has been provided opportunity through formal and informal contacts to present his views on the subject of vocational education.

He first recommended in his 1975 budget that vocational education funds be put in escrow for both the Superintendent of Public Instruction and the community college system until a mutually agreeable system for settling their problems was devised (see Appendix 6b).

In testimony before the last public hearing of the Select Committee on Vocational Education held on February 19, the Governor's spokesman made the following points:

1. There is need for a neutral board or agency to evaluate and coordinate performance in vocational education. In so doing, it will strive to eliminate or diminish existing rivalries between contesting groups. It will seek to eliminate unnecessary duplication of expense or function, as well as to determine by consistent standards the need for certain kinds of expansion.

2. The board responsible for the agency's functioning should be comprised of citizen members appointed by the Governor, and confirmed by the Senate as representatives of the public at large, in contrast to the current membership of the Coordinating Council on Occupational Education where vested interest often predominates. If other than citizen members are also to be appointed to the board, voting power should be limited to the citizen members only.

3. The agency or board should have the authority to review all programs developed by the Superintendent of Public Instruction and the community colleges pertaining to vocational education. In addition, it should be made clear that no program is to be implemented unless approved by this agency or board.

4. It is necessary for the proposed board or agency to interface with the Council on Higher Education, the state's postsecondary education coordinating body.

5. If nonessential or duplicative structures and functions are to be eliminated, and if the state's resources are to be used most effectively, the board should also coordinate with proprietary schools.

6. The agency or board must have the authority to develop the state's vocational education plan in cooperation with Superintendent of Public Instruction and the community colleges, business and industry, and labor. It must also have the authority to insure plan implementation. With this should go the power of program review and approval.

7. In the execution of its planning responsibilities, the agency or board should study levels of fees and charges to students, and when necessary, make recommendations to the institutions, the Legislature and the Governor.

8. The board or agency should have the authority to review the individual agencies' operating and capital budget requests and make recommendations to the Legislature and the Governor.

9. The board or agency must not be encumbered by extraneous duties and responsibilities. Operational programs should be transferred to other agencies or educational institutions.

10. In cooperation with the Superintendent of Public Instruction and the community colleges, the agency or board should arrange an agreement on those terms and definitions which have a bearing on the implementation of future development of vocational education.

11. On January 9, 1976 and annually thereafter, the agency or board should report to the Legislature areas where duplication of services has occurred or is likely to occur and actions taken.

State Organizational Structure for Vocational Education. The Superintendent of Public Instruction will ". . . oppose any effort to create a separate vocational education management system, i.e., a separate strong state board for vocational education. However, I would support a system which would unify at the state level the State Board of Education, the Coordinating Council for Occupational Education and the State Board for Community College Education" and the expansion of secondary and postsecondary vocational technical institutes as part of the common school system. (Appendix 10)

The Director of the State Board for Community College Education stressed the need to define educational responsibilities, and suggested the jurisdictional dividing line should be age 18 (Appendix 11).

The Coordinating Council for Occupational Education by Resolution adopted February 27, 1975 urges ". . . corrective legislation that will resolve fundamental problems . . . by the strengthening of a single management and planning agency for vocational education." (Appendix 13).

The Washington Vocational Association proposes, through SB 2338, to establish a "Unified single system under a lay board to effectively administer all vocational education programs in the state and the single system not to be administered by either the SPI or SBCCE." (Appendix 14)

Conclusions. The Select Committee recommends the establishment of the Commission on Vocational Education, and in establishing the Commission, it strongly intends:

First, that a separate system of vocational education not be developed for this state; and that the needs of vocational education are best met within comprehensive educational programs offered by the secondary and postsecondary systems.

Secondly, to insure a coordinated and efficient vocational educational system, an agency separate from the secondary and postsecondary systems must be established and that this agency must be given, in addition to policy development responsibilities, the final adjudicative responsibilities regarding conflicts with vocational education state policy or disputes between the respective systems.

APPENDICES:

1. (a) Senate Resolution 1973-71 (grey)

   (b) Senate Resolution 1975-6 (grey)

2. Senate Select Committee on Vocational Education roster (grey)

3. Substitute Senate Bill 2463 (lime)

4. Bill Analysis: SSB 2463 (russet)

5. Fiscal Note: SSB 2463 (russet)

6. Governor Daniel J. Evans 1975-77 Budget excerpts (green tint)

   (a) Coordinating Council for Occupational Education

   (b) Superintendent of Public Instruction and State Board for Community College Education, vocational education funds.

7. Office of Education letter to Congressman Lloyd Meeds. (white)

8. Title 20, United States Code Annotated, Sections 1244, 1248, 1261, 1262, 1263, pp. 353-71. (white)

9. Comptroller General of the United States, Report to the Congress: What is the Role of Federal Assistance for Vocational Education? Dec. 31, 1974, p. 91. (white)

10. Two statements of Superintendent of Public Instruction Frank B. Brouillet, dated February 19, 1975 and February 11, 1975. (blue)

11. Statement of John Mundt, director, State Board for Community College Education, dated February 19, 1975. (blue)

12. Statement of Wilbur M. Snyder, chairman, Washington State Council of Area Vocational-Technical Institutes, February 19, 1975 (blue)

13. Coordinating Council for Occupational Education Resolution 75-58-1, February 27, 1975. (blue)

14. Position of the Washington Vocational Association dated March 3, 1975. (blue)

Appendix 1(a)

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IN THE LEGISLATURE
of the
STATE OF WASHINGTON

SENATE RESOLUTION
1975 - 6

By Senators Sandison, Newschwander, Stortini, Guess, Odegaard, Donohue and Benitz

WHEREAS, The Legislature of the state of Washington directed that the Committee on Higher Education and the Committee on Education, pursuant to SR 73-71, establish a six-member Select Committee to study the delivery systems for vocational education and report its findings and recommendations to the 1975 regular session; and

WHEREAS, Various alternative solutions are under consideration which might alter the state education organizational structure; and

WHEREAS, There are pending in the Congress amendments to the Vocational Education Act of 1946, as amended, which could affect the outcome of such study;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the Senate Select Committee on Vocational Education be continued to carry out its special study and report its findings and recommendations to the 44th Legislature as soon as possible, but prior to the conclusion of the 1975 regular legislative session.

BE IT FURTHER RESOLVED, That the Secretary of the Senate transmit copies of this resolution to the House of Representatives, the Governor, the Superintendent of Public Instruction, and the directors of the State Board for Community College Education and the Coordinating Council for Occupational Education.

I, Sid Snyder, Secretary of the Senate, do hereby certify this is a true and correct copy of Senate Resolution No. 1975-6, adopted by the Senate January 15, 1975.

SID SNYDER
Secretary of the Senate

APPENDIX 1(b)

SENATE SELECT COMMITTEE ON VOCATIONAL EDUCATION

Senator Gordon Sandison, Co-Chairman and
Chairman of the Senate Higher Education Committee

Senator Joe Stortini, Co-Chairman and
Chairman of the Senate Education Committee*

Senator Sam Guess, Member,
Senate Higher Education Committee

Senator Hubert Donohue, Member,
Senate Higher Education Committee

Senator Gary Odegaard, Member,
Senate Education and Higher Education Committees**

Senator Charles Newschwander, Member,
Senate Education Committee

Select Committee Staff:

Jim Bricker, Staff Director, Senate Research Center
Marilyn Hammond, Research Analyst, Senate Minority Caucus
Jeff Riddle, Research Analyst, Senate Education Committee
Nancy Juarez, Research Analyst, Senate Education Committee

* Senator Stortini, in January, 1975, replaced Senator Peter von Reichbauer who had previously replaced Senator Booth Gardner, all serving in the position on the Select Committee as Chairmen of the Senate Education Committee.

** Senator Odegaard was initially appointed to the Select Committee as a member of the Senate Education Committee on which he served during the term January 1, 1973, to December 31, 1974. In the convening of the 1975 Legislative Session, Senator Odegaard was appointed as a member of the Senate Higher Education Committee.

APPENDIX 2

SUBSTITUTE SENATE BILL NO. 2463

State of Washington
44th Regular Session

By Committee on Higher Education
((Originally sponsored by Senators Sandison, Newschwander, Stortini, Odegaard, Guess and Donohue (By Senate Select Committee on Vocational Education Request))

Read first time March 12, 1975, and passed to second reading.

AN ACT Relating to vocational education; creating the commission for vocational education; transferring certain powers, duties, responsibilities, personnel, funds and equipment; amending section 4, chapter 285, Laws of 1971 ex. sess. and RCW 28A.09.120; amending section 28B.50.230, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.230; repealing section 3, chapter 285, Laws of 1971 ex. sess. and RCW 28A.09.110; repealing section 28B.50.160, chapter 223, Laws of 1969 ex. sess., section 54, chapter 18, Laws of 1970 ex. sess. and RCW 28B.50.160; repealing section 28B.50.170, chapter 223, Laws of 1969 ex. sess., section 28, chapter 283, Laws of 1969 ex. sess., section 20, chapter 62, Laws of 1973 and RCW 28B.50.170; repealing section 28B.50.180, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.180; repealing section 28B.50.200, chapter 223, Laws of 1969 ex. sess., section 21, chapter 62, Laws of 1973 and RCW 28B.50.200; repealing section 28B.50.220, chapter 223, Laws of 1969 ex. sess., section 55, chapter 18, Laws of 1970 ex. sess. and RCW 28B.50.220; repealing section 28B.50.770, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.770; adding new sections as a new title in the Revised Code of Washington, Title 28C, Vocational Education, together with certain RCW sections herein decodified and added thereto; and declaring an emergency and making an effective date. 4;1 P ARTA; 7

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. The purpose of this amendatory act is to provide for a comprehensive planning process and a decision making system for vocational education programs in the state of Washington and to establish administrative responsibility for the receipt and allocation of federal vocational funds.

It is the intent of this amendatory act that whenever possible, comprehensive and coordinated educational programs shall be provided at the secondary and postsecondary education levels and such programs shall include therein vocational,. occupational, and technical offerings, both within the secondary and postsecondary education systems.

NEW SECTION. Sec. 2. As used in this amendatory act the following definitions shall apply:

(1) "Commission" shall mean the commission for vocational education.

(2) "Secondary education system" shall mean those educational courses and programs, within the jurisdiction of the superintendent of public instruction, being offered in the common schools of the state of Washington in the grades 7 through 12, or any part thereof, which are traditionally provided for the purpose of granting a recognized certificate of completion or a high school diploma.

(3) "Postsecondary education system" shall mean those educational courses and programs, not within the jurisdiction of the superintendent of public instruction, being offered beyond secondary education by institutions of higher education in the state of Washington to those who hold a certificate of completion or high school diploma which includes academic, vocational, technical or professional training traditionally leading to an associate, baccalaureate or higher degree or a certificate of achievement.

(4) "Vocational education" shall mean vocational or technical training conducted as part of secondary or postseconiary education systems as defined in subsections (2) and (3) of this section, including, as otherwise provided by law, adult education, designed to prepare, continue in, or upgrade individuals for gainful employment in recognized and new and emerging occupations other than professional, including home and family life programs and volunteer fire fighter training.

(5) "State plan" shall mean the state plan adopted by the commission to comply with the requirements of Public Law 88-210 as amended (20 USCA Sec. 1263 et. seq.), and other federal congressional and administrative directives pertaining to vocational education programs: PROVIDED, That the common schools and institutions of

higher education in the development of vocational plans for their respective secondary and postsecondary education systems, shall use the state plan for vocational education: PROVIDED, FURTHER, That where elements in either of such secondary or postsecondary education systems deviate from policy inherent in the state plan such deviations and any reasons therefor shall be submitted to the commission for its review and approval.

(6) "Advisory council" means the advisory council for vocational education established within this state pursuant to 20 USCA 1244B.

NEW SECTION. Sec. 3. There is hereby established a commission for vocational education comprised of seven members, each of which shall be a voting member. The chairman shall be a citizen member chosen by a majority of its members pursuant to its bylaws. Five citizen members shall be appointed by the governor and confirmed by the state senate. The superintendent of public instruction and the director of the state board for community college education shall serve as the remaining two members. In making citizen member appointments initially, and subsequently thereafter, the governor shall be cognizant of the desirability of appointing persons well versed regarding vocational and occupational needs of industry, labor, and agriculture.

The initial citizen appointments shall be for periods of one, two, three, four, and five years. Thereafter such citizen members shall serve for terms of five years. No citizen member shall be eligible to serve who is also a member of a state or local educational agency, board, council or commission, or who is employed by a common school or institution of higher education.

Four members shall constitute a quorum, and no action shall be taken by less than four affirmative votes.

NEW SECTION. Sec. 4. The commission for vocational education shall have the following functions:

(1) Plan development. The commission shall be responsible for complying with federal directives to insure the development and maintenance of a state plan for vocational education but initial planning shall be accomplished by the secondary and postsecondary

education systems. Prior to the adoption of the state plan, the commission shall request comments from the council on higher education and the advisory council for vocational education.

(2) State plan modification adjudication. Decisions on new programs and/or facilities for vocational education shall be made internally within the respective secondary or postsecondary education system in accordance with the provisions of the state plan. The commission may review such decisions to insure compliance with the state plan and avoid unnecessary duplication of current or projected programs.

Any common school or community college district, or the superintendent of public instruction, or the state board for community college education, or other interested parties as authorized by the commission, shall be afforded the opportunity to comment upon any new programs or facilities proposed. The commission, subject to dispute resolution rules adopted by said commission, shall have the final determination on any disputes arising out of such program proposals.

In adjudicating disputes between the two secondary and postsecondary education systems regarding the state plan, the commission will use at least the following criteria: Recognition that secondary education is constitutionally the responsibility of the superintendent of public instruction and that by legislative action postsecondary education is the responsibility of institutions of higher education; adhere to the general policy set forth in the state plan; consider the particular vocational need of the community, region, or state and which secondary or postsecondary education system, or both, can best respond to those needs; encourage cooperation and coordination rather than competition and program conflict between secondary and postsecondary education systems; and avoid unnecessary duplication of vocational education programs and facilities.

(3) Vocational education administration. The commission shall be the sole agency for the receipt and allocation of federal funds in accordance with the state plan. The supervision of the state plan shall be carried out by the commission; however, daily

administration of the state plan shall be primarily the responsibility of the superintendent of public instruction and the state board for community college education: PROVIDED, That the commission shall review and approve state plan development proposals or special programs requiring personal service contracts, and activities beyond the program responsibilities of the superintendent of public instruction and the state board for community college education.

Under the state plan the commission shall make periodic performance audits at least once a biennium of the vocational education programs individually and jointly conducted by the common schools and community colleges to insure compliance with the state plan.

The commission shall be the primary state liaison with the federal government for the state plan for vocational education.

NEW SECTION. Sec. 5. In addition to powers and duties under section 4 of this amendatory act, the commission shall make periodic reports to the governor and the legislature. The initial report shall be submitted, with the governor's comments, to the 1977 legislature by December 1, 1976 and shall include, but not be limited to, review of and recommendations on the following: (1) Vocational education program modification, including common informational data systems; (2) reorganization of the administration of vocational education; (3) an appropriate level of state cost for the administration of state and federal vocational education programs; (4) appropriate charges for vocational and adult education programs in the secondary and postsecondary education systems; and (5) provisions for personnel standards for vocational education instructors.

Such recommendations, to the greatest extent possible, shall comply with the intent of this amendatory act and be consistent with federal requirements.

NEW SECTION. Sec. 6. The commission is authorized to promulgate such rules and regulations as are necessary to comply with the intent of this amendatory act in accordance with chapter 34.04 RCW, the administrative procedure act, and adopt such bylaws as

deemed necessary to the business of the commission. Existing rules and regulations of any state agency relating to vocational education should be considered amended in accordance with the intent of this amendatory act. Initial rules and regulations of the commission, prior to their effective date, shall be submitted to the respective rules committees of the senate and house for review concurrently at such time as notice of intent to adopt is filed. The commission is further authorized to take whatever action is necessary to insure compliance with federal vocational education enactments and state legislative and administrative directives concerning vocational education. The commission is also authorized to delegate by commission resolution to the executive director those functions it deems necessary to the operation of the commission.

NEW SECTION. Sec. 7. Common school districts and community college districts shall cooperate in offering vocational education programs, particularly when establishing specialized facility support for such programs. Such cooperation shall also extend to noncredit community service programs as the same are authorized in RCW 28A.58.247 and 28B.50.020. If such joint cooperation cannot be attained at the local level the superintendent of public instruction and the state board for community college education shall attempt to resolve the matter. Matters unresolved shall be referred to the commission for adjudication. Common schools or community colleges shall not offer new or expanded vocational education programs outside their district boundaries without the concurrence of those common school and community college districts affected thereby, and notification to, and review by the commission.

NEW SECTION. Sec. 8. Members of the commission will receive per diem in lieu of compensation, and travel expenses in accordance with standard rates for part time boards, councils, and commissions as certified by the state budget director.

NEW SECTION. Sec. 9. The coordinating council for occupational education is hereby abolished effective midnight June 30, 1975, and its education responsibilities, personnel, property and equipment are transferred to the commission for vocational education unless otherwise provided for in this amendatory act.

NEW SECTION. Sec. 10. The commission may employ an executive director and such other personnel as may be necessary to carry out the purposes of this amendatory act. The commission in accordance with section 4 of this amendatory act shall keep its professional staff to the minimum number of persons necessary to fulfill its duties under this amendatory act and the performance of such other administrative responsibilities as the legislature may provide.

NEW SECTION. Sec. 11. The superintendent of public instruction may authorize common schools to contract with community colleges to provide adult high school completion programs if he determines that such programs effectively fulfill the purposes of secondary education: PROVIDED, That except as subject to the action of the superintendent of public instruction, adult high school completion programs conducted by the community colleges as authorized by RCW 28B.50.092 or 28B.50.535 shall remain in the community colleges.

NEW SECTION. Sec. 12. Notwithstanding the provisions of section 2(3) of this amendatory act, existing vocational-technical institutes operating within the secondary school system may continue to function within the common school system.

NEW SECTION. Sec. 13. The governor is hereby authorized, with the advice of the office of program planning and fiscal management to determine to which of the following state agencies those functions of the coordinating council for occupational education not herein transferred to the commission for vocational education shall be transferred: The council on higher education; the department of social and health services; the department of labor and industries; the superintendent of public instruction; the state board for community colleges, or any educational administrative agency created during the forty-fourth legislative session. The governor has the authority to transfer such personnel, funds, and equipment to the agency he so determines as may be necessary to carry out those functions. The governor shall make a report to the legislature concerning such determinations as he has made by December 1, 1975. All remaining funds of the coordinating council not disposed of or otherwise provided for in this amendatory act shall remain within the

jurisdiction of the commission.

Sec. 14. Section 4, chapter 285, Laws of 1971 ex. sess. and RCW 28A.09.120 are each amended to read as follows:

For the purposes of ((Title 28A RCW)) this title:

(1) ((The term "vocational education" shall mean a planned series of learning experiences, the specific objective of which is to prepare persons to enter, continue in or upgrade themselves in gainful employment in recognized occupations and homemaking, which are not designated as professional or requiring a baccalaureate or higher degree.

(2))) The term "occupational exploration" shall include prevocational education. The term "occupational exploration" shall mean a series of educational experiences designed to (a) assist individuals in developing their understanding of, appreciation for, aptitudes for, and abilities in recognized occupations; (b) develop an attitude of respect toward work and pride in workmanship; and (c) provide knowledge and experience to assist in the choice of an occupational program.

(((3))) (2) The terms "industrial arts" and "practical arts" shall mean general education centered around the industrial and technical aspects of current living, offering orientation in and appreciation for production, consumption, and recreation through actual experiences with materials and goods and also providing exploratory experiences which are helpful in the choice of a vocation.

(((4))) (3) The term "job market area" shall mean the geographic area for recruitment and placement of job entrants, usually determined by each industry or by a collective bargaining agreement.

Sec. 15. Section 28B.50.230, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.230 are each amended to read as follows:

(1) The ((coordinating council)) commission in preparing the state plan for vocational education shall give consideration to the following:

(a) Vocational education for persons attending high school;

(b) Vocational education for persons who have completed or

left high school and who are available for full time study in preparation for entering the labor market;

(c) Vocational education for persons (other than persons who are receiving training allowances under the Manpower Development and Training Act of 1962, Public Law 87-415, the Area Redevelopment Act, Public Law 87-27, or the Trade Expansion Act of 1962, Public Law 87-794 or any successor statutes thereto) who have already entered the labor market and who need training or retraining to achieve stability or advancement in employment;

(d) Vocational education for persons who have academic, socio-economic, or other handicaps that prevent them from succeeding in the regular vocational education program;

(e) Construction of area vocational educational school facilities, as authorized by the state board for community colleges and the state board of education; and

(f) Ancillary services and activities to assure quality in all vocational education programs, such as teacher training and supervision, program evaluation, special demonstrations and experimental programs, development of instructional materials, and state administration and leadership, including periodic evaluation of state and local vocational education programs and services in the light of information regarding current and projected manpower needs and job opportunities.

(2) In determining the allocation of funds, the ((council)) commission shall comply with federal statute.

NEW SECTION. Sec. 16. Sections 1 through 13 of this amendatory act and RCW 28A.09.070, 28A.09.080, 28A.09.090, 28A.09.100, 28A.09.120 as now or hereafter amended, 28A.09.200, 28B.50.230 as now or hereafter amended, 28B.50.245 and 28B.50.246, each of which RCW sections are hereby decodified, are added to the Revised Code of Washington as a new title thereof, Title 28C, Vocational Education.

NEW SECTION. Sec. 17. The following acts or parts of acts are each hereby repealed:

(1) Section 3, chapter 285, Laws of 1971 ex. sess. and RCW 28A.09.110;

(2) Section 28B.50.160, chapter 223, Laws of 1969 ex. sess., section 54, chapter 18, Laws of 1970 ex. sess. and RCW 28B.50.160;

(3) Section 28B.50.170, chapter 223, Laws of 1969 ex. sess., section 28, chapter 283, Laws of 1969 ex. sess., section 20, chapter 62, Laws of 1973 and RCW 28B.50.170;

(4) Section 28B.50.180, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.180;

(5) Section 28B.50.200, chapter 223, Laws of 1969 ex. sess., section 21, chapter 62, Laws of 1973 and RCW 28B.50.200;

(6) Section 28B.50.220, chapter 223, Laws of 1969 ex. sess., section 55, chapter 18, Laws of 1970 ex. sess. and RCW 28B.50.220; and

(7) Section 28B.50.770, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.770.

NEW SECTION. Sec. 18. This amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1975.

NEW SECTION. Sec. 19. If any provision of this amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

BILL ANALYSIS

BILL NO. SSB 2463 DATE: March 13, 1975

SPONSOR: Senators Sandison, Newschwander, Stortini, Odegaard, Guess and Donohue
(By Request of the Senate Select Committee on Vocational Education)

SHORT TITLE: An act relating to vocational education.

REPORTED BY: Senate Committee on Higher Education

ANALYZED BY: Jim Bricker, Staff Director
Marilyn Hammond, Research Analyst
Catharyn Baird, Staff Counsel

ISSUE:

What should be the organizational structure for the administration of vocational education programs?

OBJECT:

(1) To provide for coordinated and comprehensive secondary and postsecondary educational systems inclusive of vocational, occupational and technical training.

(2) To designate a new sole state agency for the development of the state vocational education plan and to receive and allocate federal vocational funds.

(3) To provide a third party agency to adjudicate disputes between the secondary and postsecondary systems which may arise from conflicts in providing vocational education programs.

(4) To provide for the appropriate level of state support for administering vocational education programs and related activities.

EVALUATION:

1. State Agency

Present Law:

Most references to vocational education administration programs are found in Title 28B.50 as part of the 1967 Community College Act. References to vocational education programs are also in Title 28A.09.

APPENDIX A

In 1967 a nine member Coordinating Council for Occupational Education was established to be the sole state agency for the receipt and allocation of federal funds, to develop the state plan for vocational education, and to coordinate the vocational education programs. The Council was comprised of three members from the State Board of Education, three members from the State Board for Community College Education and three lay members appointed by the Governor from industry, labor and agriculture.

Proposed Law:

The Coordinating Council for Occupational Education would be abolished and replaced with a commission for vocational education. The commission would consist of seven members. Five would be lay members appointed by the Governor, confirmed by the Senate, without restriction as to membership, but with the qualification that they should be well-versed in the vocational and occupational needs of industry, labor and agriculture. The Superintendent of Public Instruction and the director of the State Board for Community College Education would serve as the remaining two members.

The functions of the commission would be:

a. To develop and supervise the administration of a state plan. The daily administration of the plan would be delegated to the secondary and postsecondary systems.

b. To adjudicate program and policy disputes arising through implementation of the state plan.

c. To be the sole state agency for the receipt and allocation of federal vocational funds.

2. Jurisdiction of Program Delivery

Present Law:

RCW 288.50 specifies that postsecondary academic and occupational programs should be carried out primarily under the auspices of the community college system. However, conflicting references in Title 28A allow for some postsecondary programs to be provided by the common schools--primarily the administration of vocational technical institutes (RCW 288.50.770) and adult community service programs (RCW 28A.48.247).

Further, adult high school completion programs may be offered by the community colleges under provisions of RCW 288.50.092 and .535.

Proposed Law:

Secondary and postsecondary systems are defined along traditional lines, clearly giving the responsibility for secondary systems to the Superintendent of Public Instruction and responsibility for postsecondary systems to institutions of higher education. All secondary educational programs, including adult high school completion programs, would administratively be the responsibility of the Superintendent of Public Instruction, although he may authorize adult high school completion programs to be contracted with the community colleges.

3. Voc-Tech Institutes

Present Law:

Postsecondary area vocational technical institutes may operate within the common schools; a means also exists whereby they may petition to join the community college system.

Proposed Law:

The remaining five area vocational technical institutes would permanently remain as part of the common school system. But, the definition of "postsecondary education system" would preclude additional voc-tech institutions from being established by the common schools.

4. Local Cooperation

Present Law:

The question of locally cooperative common school and community college district programs and of offering programs outside of respective district boundaries is not addressed by present law.

Proposed Law:

Cooperation would be encouraged between common school and community college districts on providing educational offerings, particularly high cost vocational programs; a mandate would exist that no school or college district may offer a program outside its boundaries without the prior agreement of all school or college districts being affected.

5. Fiscal Impact:

At the present time, no fiscal impact is being projected by the passage of SSB 2463. The total amount of federal funds available to the state would not change by the passage, or failure, or this measure.

Transferring certain administrative functions presently being performed by the Coordinating Council of Occupational Education to the Superintendent of Public Instruction, the State Board for Community College Education, and possibly other administrative agencies would have a fiscal impact on the agencies effected.

It is projected that once such transfers are made, there would be savings to the state in the terms of administrative funds, particularly administrative costs presently funded by federal vocational dollars. Such funds could then be allocated for local vocational program efforts.

It is also anticipated that the passage of SSB 2463 should assist in avoiding unnecessary duplication of high cost vocational education programs and facilities.

JB:gs

Form FN-1 (Rev. 11-74)

FISCAL NOTE

State Senate — 012
Responding Agency Title — Code No.

Senate Committee on Higher Education
Requested By

Reviewed By OFPAFM

REQUEST NUMBER
Concerning SSB 2463
SB NO. — HB NO.

Original ..... ☐
House Committee Amendment ☐
Senate Committee Amendment ☐
Engrossed House Bill ..... ☐
Engrossed Senate Bill..... ☐
Substitute ..... ☒

Bill Requested By: Executive ☐; Department ☐; Legislative Committee _____
Title

New Program or Activity ☐; Change in Existing Program or Activity ☐; Local Government Impact ☐

Title of Bill: An Act Relating to . . . vocational education; establishing the Commission on Vocational Education and abolishing the Coordinating Council for Occupational Education.

ESTIMATED STATE FISCAL IMPACT OF PROPOSED LEGISLATION

A. Revenue Impact by Fund and Source:	NOMINAL IMPACT FIRST YEAR (Increase / Decrease)	NOMINAL IMPACT SECOND YEAR (Increase / Decrease)	NOMINAL IMPACT TOTAL (Increase / Decrease)	SIX-YEAR IMPACT (Increase / Decrease)
Fund Title:				
Source Title:				
State				
Federal	No change, see page 2			
Local				
TOTAL				
B. Expenditure Impact by Source of Funds:				
Fund Title:				
State				
Federal				
Local				
TOTAL	See page 2, Expenditure Impact discussion			
C. Expenditure Impact Detail:				
FTE Staff Years				
Salaries and Wages				
Personal Service Contracts				
Goods and Services				
Travel				
Equipment				
Employee Benefits				
Grants and Subsidies				
Debt Service				
Capital Outlay:				
Land				
Buildings				
Improvements Other Than Buildings				
TOTAL				

D. Attach Explanation of Estimate (Use Form FN-2)

Jim Bricker — Staff Director, Senate Research Center — Mar. 13, 1975
Prepared By — Title — Date

APPENDIX 5

Form FN-4 (10-69)

FISCAL NOTE

State Senate (Requesting Agency Title) 012 (Code No.) REQUEST NUMBER Concerning SSB 2463 (SB NO.) (SB NO.)

March 13, 1975
(Date Submitted)

General Explanation:

Substitute Senate Bill 2463 abolishes the Coordinating Council for Occupational Education and replaces it with a Commission on Vocational Education. (See "Bill Digest" for description of Commission functions.)

Revenue Impact:

Because the organization of the Commission and its responsibilities complies with Federal directives, there will be no loss of Federal revenues. For the current biennium these are projected in the Governor's budget at $20,364,929.

Expenditure Impact:

There will be an expenditure impact in the various agencies where program re-assignments from the existing CODE occur. A revised fiscal note will be submitted at the time that the Legislature and the OFP & FM work out the projected fiscal impact on these agencies. The probable impact will be in the following areas:

(a) Vocational education administration. The Governor's budget proposal, pages 531-32 for vocational education administration, indicated an expenditure of $20,590,238. Of this amount, $19.5 million is Federal funds. Approximately $16 million of this goes for direct grants to secondary and postsecondary systems. There should be no reduction in that amount and it may, as described below, be increased in the amount of funds available for distribution to fund vocational education programs.

The Coordinating Council has 75.6 staff years dedicated to vocational education administration. Of these, 31 positions are presently, by interlocal agreement, provided to the Superintendent of Public Instruction to assist in their vocational program responsibilities.

The Senate bill proposes, in section 10, that the new commission employ the minimum number of professional staff necessary to accomplish state policy development and adjudicative functions. Therefore, a significant number of the current positions involved in vocational administration should be re-assigned as appropriate to either the Superintendent of Public Instruction, the State Board for Community College Education, or another appropriate education administrative agency.

With restricted state level administrative responsibilities and the elimination of conflicting vocational education statute authorities there should be, before the completion of the biennium, a reduction in the amount of necessary administrative personnal. This determination is called for by a study directed in Section 5 of SSB 2463.

Form FN-4 (10-73)

FISCAL NOTE

State Senate — Responding Agency Title
012 — Code No.
REQUEST NUMBER
Concerning SSB 2463 — Bill No. — Bill No.

March 13, 1975 — Date Submitted

Continued . . . .

(b) Other administrative functions. The Coordinating Council presently performs other administrative functions not directly related to state level educational administration. These are discussed in the Governor's budget on pages 532-33. Section 13 of SSB 2463 allows the Governor to transfer these functions to an appropriate administrative agency. This should further reduce the need for administrative overhead at the Commission level.

ADVISORY COUNCIL FOR VOCATIONAL EDUCATION

RCW 28B.50.245

Agency Description

The Advisory Council for Vocational Education was created as a separate agency to comply with federal requirements. Before a state can receive federal funds for vocational education, it is required to establish a State Advisory Council. The Advisory Council members, representing the various interests in vocational education, are appointed by the Governor and certified to the federal Commissioner of Education. Duties include advising the Coordinating Council for Occupational Education, evaluating vocational education activities, and preparing an annual report to the Commissioner of Education and the National Advisory Council.

The federal funds appropriated to the Advisory Council for its operations are received and disbursed by the Coordinating Council's fiscal office at the direction of the Advisory Council.

COORDINATING COUNCIL FOR OCCUPATIONAL EDUCATION

RCW 28.85.160

Request	$31,704,414
Net Change from Current Biennium	$ 8,630,857 Decrease
Percent Change from Current Biennium	28.4% Decrease

Agency Description

The Coordinating Council for Occupational Education plans and administers the program of vocational education in the state.

Plans and Objectives

The long-range plans of the Coordinating Council for Occupational Education are to: (1) assure that vocational programs are of high quality and consistent with the needs of the people and the manpower needs within the economy; (2) provide for orderly career development that will permit students, through career awareness, occupational orientation and skill development phases, to identify occupational goals early and to provide continuous progress toward their goals; and (3) improve and redirect teacher education for continued improvement of vocational education.

Budget Justification

The recommended budget for this agency is decreased 28.4 percent from the current biennium. The major reason for this decrease is the termination of the Manpower Development Training Act (MDTA) and the creation of its replacement, the Comprehensive Employment Training Act (CETA), transferring responsibility and receipt of federal funds to manpower prime sponsors. This change in federal programs resulted in a net decrease of $4,990,338 in federal funds for this agency for the 1975-77 biennium.

OPERATING BUDGET—SUMMARY

1973-75 Appropriations Amount	1973-75 Appropriations Estimated Bal.	Appropriated Funds	1971-73 Expenditures Actual	1973-75 Expenditures Estimated	1975-77 Proposed
1,500,483	.....	General Fund—State	1,507,126	1,500,483	1,330,485
25,368,810	13,543	General Fund—Federal	18,150,868	25,355,267	20,364,929
3,450,521	.....	General Fund—Federal—Unanticipated	.....	3,450,521	.....
.....	.....	Contingent Receipts Fund—Federal—Unanticipated	5,751,926	.....	.....
30,338,814	13,543	TOTAL APPROPRIATED FUNDS	33,409,740	30,325,271	21,704,414

OPERATING BUDGET—SUMMARY BY OBJECT

	1971-72 Actual	1972-74 Actual	1974-75 Estimated	1975-76 Proposed	1976-77 Proposed
Salaries and Wages	1,348,884	1,436,343	1,810,829	1,665,290	1,668,244
Personal Service Contracts	124,951	84,368	178,831	198,019	175,436
Goods and Services	797,992	892,573	929,038	922,805	984,313
Travel	138,124	132,341	140,950	182,453	310,500
Equipment	27,880	12,804	53,401	60,815	43,968
Employee Benefits	92,880	141,173	183,013	264,274	313,310
Contributions, Grants, Subsidies	10,936,093	9,911,586	15,007,339	8,964,863	8,964,710
Interagency Reimbursement	.....	.....	.....	(1,378,306)	(1,383,894)
ANNUAL TOTAL	13,350,894	13,221,370	18,100,901	10,906,819	10,897,583

APPENDIX 6(a)

Coordinating Council for Occupational Education—Continued

OPERATING BUDGET—PROGRAM SUMMARY

	1972-73 Actual	1973-74 Actual	1974-75 Estimated	1975-76 Proposed	1976-77 Proposed
Vocational Education	9,759,665	9,629,719	10,016,368	10,217,104	10,372,134
Fire Service Training	325,438	270,292	401,158	400,725	344,471
Client Services	3,363,327	2,837,802	7,287,918	130,000	130,000
Advisory Council for Vocational Education	58,276	45,356	68,445	50,000	50,000
Annual Totals	13,356,696	12,221,170	18,102,801	10,806,829	10,897,605
Fiscal Year 1971-72	10,053,046				
Biennium Totals	23,409,740	30,323,271		21,704,414	

OPERATING BUDGET—CHANGE FROM PRECEDING BIENNIUM

Program	1972-73 Actual Amount	1972-73 Actual Percent	1974-75 Estimated Amount	1974-75 Estimated Percent	1976-77 Proposed Amount	1976-77 Proposed Percent
Vocational Education	2,906,185	30.1	2,386,643	13.8	1,354,131	8.1
Fire Service Training	248,971	68.9	130,992	21.1	14,733	2.0
Client Services	2,478,229	66.1	4,187,056	81.2	(10,150,720)	(97.3)
Advisory Council for Vocational Education	50,587	.....	2,489	3.1	(14,901)	(13.3)
Totals	6,833,771	30.5	6,913,331	39.3	(1,320,897)	(28.4)

EMPLOYMENT SUMMARY

	1972-73 Actual	1973-74 Actual	1974-75 Estimated	1975-76 Proposed	1976-77 Proposed
FTE Staff Years	94.5	101.3	107.7	100.8	100.3
Average FTE Staff Year Cost	13,216	14,179	14,854	15,166	15,445

VOCATIONAL EDUCATION

Program Description

Vocational and technical programs are conducted under the Vocational Education Act of 1963, as amended. Programs are offered in the broad fields of agriculture, commodity distribution, home and family life; office, health, and public service occupations; trade and industry, and technical education. Guidance and counseling, vocational teacher and administrator training, curriculum development, youth leadership training, and special helps for handicapped and disadvantaged students are also provided. The 1968 amendments to the Vocational Education Act of 1963 provided for the expansion and improvement of vocational and technical education programs offered by local school districts, vocational technical schools, and community colleges.

Funds for operation are obtained from grants provided by the federal government and from appropriations by the State Legislature. Each year, the United States Congress appropriates sums of money which are allotted to the various states by formulas based on population, number of persons available for training, and the like. There are different matching requirements for the various purposes of the act which are satisfied when the state funds and local school district, community college or other participant costs combined meet the requirements for the particular program or purpose.

During the 1975-77 Biennium the Coordinating Council will continue further refinement of the forecasting system, a Manpower Needs Model developed during the current biennium. In addition, increased emphasis will be placed on expanded needs assessment, improved grant management, and the performance improvement project. The Coordinating Council will provide federal dollars to improve and expand vocational programs at local educational agencies.

Budget Justification

The recommended budget for this program reflects a reduction of 13 percent in state funds over the biennium due to an increase in federal vocational education funds. The increase of 8 percent is recommended only to meet inflationary cost growth in support of current staffing and level of service. Staffing for this program is recommended for continuation at current level of 75.6 FTE staff years for each year of the biennium.

Program Employment

	1972-73 Actual	1973-74 Actual	1974-75 Estimated	1975-76 Proposed	1976-77 Proposed
FTE Staff Years	72.8	73.1	75.6	75.6	75.6
Average FTE Staff Year Costs	13,838	14,940	15,080	14,939	15,313

Coordinating Council for Occupational Education—Continued

Expenditure Detail

	1972-73 Actual	1973-74 Actual	1974-75 Estimated	1975-76 Proposed	1976-77 Proposed
Salaries and Wages	930,760	1,000,059	1,140,476	1,129,455	1,150,860
Personal Service Contracts	87,750	52,801	100,400	100,400	100,400
Goods and Services	670,251	489,937	787,617	763,411	846,602
Travel	89,835	77,309	86,250	109,250	127,000
Equipment	12,837	11,088	44,000	33,324	36,100
Employee Benefits	59,583	97,717	136,192	141,394	150,139
Contributions, Grants, Subsidies	7,908,649	7,310,808	7,721,453	7,939,870	7,962,033
ANNUAL TOTAL	9,759,665	9,039,719	10,016,388	10,217,104	10,373,134
FISCAL YEAR 1971-72	6,700,399				
BIENNIUM TOTAL	16,460,064	19,056,107		20,590,238	

Source of Funds

General Fund—State	572,550	576,534	597,647	522,368	514,964
General Fund—Federal	6,463,239	6,081,818	8,709,271	9,694,736	9,858,170
General Fund—Federal—Unanticipated	.....	2,381,367	709,470	.....	.....
Contingent Receipts Fund—Federal—Unanticipated	2,723,867	.....	.....	.....	.....
ANNUAL TOTAL	9,759,665	9,039,719	10,016,388	10,217,104	10,373,134

FIRE SERVICE TRAINING

Program Description

The Coordinating Council for Occupational Education is responsible for establishing and conducting Fire Service Training programs for all fire departments and their personnel as well as individuals seeking employment as members of fire departments.

Program objectives include: (1) assistance to volunteer departments in operating and maintaining their own basic training program; (2) provision of training programs for all paid firefighters and for 6,000 volunteer fire fighters through supplemental training courses beyond basics in such areas as Fire Prevention, Management, Safety, Emergency Medical, special technical course; (3) provision of workshops in selected locations; (4) provision of guidance and assistance to Vocational Technical Institutes, Community Colleges, four year colleges, and local fire departments in providing quality programs to prepare for entry into the occupation and for promotion to officer grades; (5) provision of research and development of better methods of providing fire protection for the people of the state; (6) provision of a Marine Fire Protection System, through contract with the Department of Commerce Marine Administration; (7) assistance to local, state, and national groups in the reduction of the national fire loss, which economically and environmentally affects all segments of the American people.

During the 1973-75 Biennium, 10,850 firemen throughout the state were provided the Operation Support course; 3,099 firemen were provided other basic courses; 4,445 paid firemen were provided training designed for large fire departments; and 3,324 volunteers and paid firemen were served through special courses and workshops dealing with such problems as oil fire, fire investigation, drug detection, and fire prevention.

Each year there has been a backlog of unfilled requests for training. In seeking a solution to this problem, the Council has started a new program called "Operation Support" in which members of fire departments are trained to conduct the basic courses. Support by the Coordinating Council is provided through consultation, workshops, instructional materials, audio-visual aids and teaching guides.

The Coordinating Council develops new teaching materials, updates current materials, assists colleges and vocational technical institutes in fire service training programs, and provides nine to ten annual workshops on special fire fighting and command problems. The Council also supervises 11 area coordinators, 700 fire department instructors, and 120 part-time state instructors.

Budget Justification

The recommended budget for this program contains an 11 percent reduction in state funds due to an increase in federal funds. During the biennium, there will be an increase in the number of part-time fire service trainers (1.0 FTE staff years) due to an expanded workload for this service.

Program Employment

	1972-73 Actual	1973-74 Actual	1974-75 Estimated	1975-76 Proposed	1976-77 Proposed
FTE Staff Years	9.2	8.2	9.2	10.2	9.7
Average FTE Staff Year Costs	16,582	15,845	15,418	16,781	16,364

Coordinating Council for Occupational Education—Continued

Expenditure Detail

	1972-73 Actual	1973-74 Actual	1974-75 Estimated	1975-76 Proposed	1976-77 Proposed
Salaries and Wages	152,561	129,933	141,848	170,867	158,925
Personal Service Contracts	31,381	31,467	64,731	91,365	71,786
Goods and Services	82,906	60,735	64,670	85,528	59,927
Travel	16,959	21,438	21,000	36,653	29,000
Equipment	11,672	1,635	8,901	4,841	5,916
Employee Benefits	19,088	12,732	15,317	20,471	18,897
Contributions, Grants, Subsidies	20,859	20,353	146,683	.....	.....
ANNUAL TOTAL	335,426	278,293	461,150	409,725	344,451
FISCAL YEAR 1971-72	275,065				
BIENNIUM TOTAL	610,491	739,443		754,176	

Source of Funds

General Fund—State	204,868	171,950	163,352	117,702	184,451
General Fund—Federal	88,957	66,416	248,597	292,023	160,000
General Fund—Federal—Unanticipated	.....	39,927	49,201	.....	.....
Contingent Receipts Fund—Federal—Unanticipated	41,601	.....	.....	.....	.....
ANNUAL TOTAL	335,426	278,293	461,150	409,725	344,451

CLIENT SERVICES

Program Description

Client Services includes the program elements: Comprehensive Employment and Training Act (CETA), Corrections Clearinghouse, Veteran's Training Contract, and the Division of Vocational Rehabilitation, Interlocal Agreement.

The CETA operating budget reflects only the five percent funds of Title I, administered under the authorization of the Governor to the Coordinating Council through the Planning and Community Affairs Agency. It is the intention of the Council to work with CETA prime sponsors to provide technical assistance, training and services through the use of local cooperative school districts, community college districts and private contracting agencies.

The Corrections Clearinghouse is funded by the Department of Health, Education and Welfare. The primary emphasis of the project is the coordination and facilitation of education, training and employment opportunities for adult and juvenile offenders. It is the objective of the Coordinating Council to: (1) continue the delivery of services and development of additional training resources; (2) identify, develop and utilize additional employment resources; (3) continue coordination of manpower programs in Corrections; and, (4) assess the effectiveness of manpower programs in Corrections.

It is also the objective of the Coordinating Council to perform all necessary duties for inspection, approval and supervision of those institutions and courses for which authority is designated for the training of Veterans Administration beneficiaries. In accordance with federal law, the Governor designated the Coordinating Council for Occupational Education as the state approving agency for all vocational schools and classes, commercial, trade and technical schools and institutions offering trade and technical instruction—both public and private.

The Coordinating Council provides services for the Division of Vocational Rehabilitation, clientele under an Interlocal Agreement between the two agencies. It is the objective of the Council to: (1) develop regulations and standards; and, (2) provide supervisory and inspection visits to schools which are approved for the training of these clients.

Budget Justification

The budget for this program is recommended for funding only at the level of federal funds received. During the biennium, one additional training officer will be added for the Corrections Clearinghouse program to develop additional training resources.

Program Employment

	1972-73 Actual	1973-74 Actual	1974-75 Estimated	1975-76 Proposed	1976-77 Proposed
FTE Staff Years	10.7	20.3	21.1	22.0	22.0
Average FTE Staff Year Costs	12,518	13,678	14,008	15,138	15,750

Coordinating Council for Occupational Education—Continued

Expenditure Detail

	1972-73 Actual	1973-74 Actual	1974-75 Estimated	1975-76 Proposed	1976-77 Proposed
Salaries and Wages	133,951	277,674	297,479	332,901	346,512
Personal Service Contracts	.....	.....	1,500	.....	.....
Goods and Services	35,406	47,186	67,550	70,128	74,446
Travel	13,009	25,177	22,000	40,000	48,000
Equipment	3,181	177	2,000	3,250	3,750
Employee Benefits	11,195	27,163	28,186	37,844	38,609
Contributions, Grants, Subsidies	3,006,585	2,480,425	7,139,203	1,024,993	1,002,677
Interagency Reimbursement	.....	.....	.....	(1,378,206)	(1,383,994)
ANNUAL TOTAL	3,203,327	2,857,802	7,557,918	130,000	130,000
FISCAL YEAR 1971-72	3,025,337				
BIENNIUM TOTAL	6,228,664	10,415,720		260,000	

Source of Funds

General Fund—State	52,839	.....	.....	.....	.....
General Fund—Federal	3,504,201	2,667,614	7,502,111	130,000	130,000
General Fund—Federal—Unanticipated	.....	190,188	55,807	.....	.....
Contingent Receipts Fund—Federal—Unanticipated	646,287	.....	.....	.....	.....
ANNUAL TOTAL	3,203,327	2,857,802	7,557,918	130,000	130,000

ADVISORY COUNCIL FOR VOCATIONAL EDUCATION

Program Description

The Advisory Council for Vocational Education was created as a separate agency to comply with federal requirements. Before a state can receive federal funds for vocational education, it is required to establish a State Advisory Council. Duties include advising the Coordinating Council for Occupational Education, evaluating of vocational education activities, and preparing of an annual report to the Commissioner of Education and the National Advisory Council.

The federal funds appropriated to the Advisory Council for its operations are received and disbursed by the Coordinating Council fiscal office at the direction of the Advisory Council.

Budget Justification

The recommended budget continues the policy of funding only at the level of federal funds received. It is anticipated that $100,000 in federal funds will be received for this program during the 1975-77 Biennium. During the biennium a part-time secretary will be converted to a full-time position (0.4 FTE staff years).

Program Employment

	1972-73 Actual	1973-74 Actual	1974-75 Estimated	1975-76 Proposed	1976-77 Proposed
FTE Staff Years	2.0	1.6	1.8	2.0	2.0
Average FTE Staff Year Costs	15,856	17,933	17,125	15,973	15,973

Expenditure Detail

Salaries and Wages	31,712	28,677	30,826	31,947	31,947
Personal Service Contracts	5,820	100	12,000	3,250	3,250
Goods and Services	9,429	4,715	9,201	3,538	3,538
Travel	8,221	8,417	11,700	6,500	6,500
Equipment	.....	84	500	200	200
Employee Benefits	3,994	3,563	4,218	4,565	4,565
ANNUAL TOTAL	58,276	45,556	68,445	50,000	50,000
FISCAL YEAR 1971-72	52,245				
BIENNIUM TOTAL	110,521	114,001		100,000	

Source of Funds

	1972-73 Actual	1973-74 Actual	1974-75 Estimated	1975-76 Proposed	1976-77 Proposed
General Fund—Federal	.....	29,744	49,696	50,000	50,000
General Fund—Federal—Unanticipated	.....	15,813	18,749	.....	.....
Contingent Receipts Fund—Federal—Unanticipated	58,276	.....	.....	.....	.....
ANNUAL TOTAL	58,276	45,556	68,445	50,000	50,000

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Superintendent of Public Instruction-

In the area of Vocational Education, it is recommended that $21,801,914 of the Superintendent of Public Instruction operating budget, and $18,864,814 of the Capital Budget be held in reserve. During fiscal year 1976, $10,445,561 of operating and all of capital of these total amounts will be held until the Superintendent of Public Instruction and the State Board for Community College Education present a mutually agreed to plan for vocational education to the Executive and Legislative branches for their respective review and approval. During fiscal year 1977, $11,356,353 of operating funds and $15,336,137 in capital funds for skill centers will be held in reserve until both agencies agree to a schedule for implementing this plan. A similar reservation of funds is included in the State Board for Community College Education budget.

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State Board for Community College Education-

During this biennium a total of $109,019,027 of the agency's budget relating to vocational education will be held in reserve. In the first year of the biennium $52,854,508 will be reserved until the State Board for Community College Education and the Superintendent of Public Instruction present a mutually agreed to plan for vocational education to both Executive and Legislative branches of state government for their respective review. In the second year of the biennium $56,164,519 will be reserved until both agencies present a mutually agreed to schedule for implementing the vocational education plan. A similar reservation of funds is included in the Superintendent of Public Instruction budget.

VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION IN VTIs

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Program Description

Five vocational-technical institutes operated by local school districts serve vocational needs of persons 16 years of age and older. Approximately 14,000 full-time-equivalent students will have received instruction during the 1973-75 Biennium. Programs broadly grouped in the preparatory, supplemental, and apprenticeship categories enable students to attain and perfect the necessary vocational skills to acquire employment. Close cooperation with representatives of labor and management ensures the ability of these institutes to meet documented vocational needs.

The five vocational-technical institutes provide instructional offerings designed to raise the educational level of adults who have not obtained an education commensurate with their ability to learn. These programs, non-vocational in nature, are designed to provide adults an opportunity to complete their high school education. Naturalization classes are also provided.

Budget Justification

The recommended budget provides support for Vocational-Technical Institutes (VTI), vocational education classes and the Adult Education components.

The recommendation for Adult Education is $521,038 for the ensuing biennium. This is an increase of 27 percent; it is recommended to maintain salary increases granted during the 1973-75 biennium.

A total of $20,030,181, an increase of 33 percent over current level, is recommended for the regular vocational education programs in vocational-technical institutes. This increase takes into account a projected increase of 2,102 FTE students, maintains salary increases granted during the 1973-75 Biennium, and continues the 1975 fiscal year appropriation of $33 per FTE student for each year of the ensuing biennium.

The increase in students for the 1975-77 Biennium is primarily due to an expansion of the Lake Washington Vocational-Technical Institute and an anticipated increase in high school students participating in this program.

It is also recommended that the funds for this program be appropriated to reserve in accordance with the proviso explained in the agency summary.

Expenditure Detail

	1972-73 Actual	1973-74 Actual	1974-75 Estimated	1975-76 Proposed	1976-77 Proposed
Contributions, Grants, Subsidies	6,279,303	7,125,422	8,334,732	9,820,561	10,731,353
ANNUAL TOTAL	6,279,303	7,125,422	8,334,732	9,820,561	10,731,353
FISCAL YEAR 1971-72	11,570,392				
BIENNIUM TOTAL	17,850,195	15,460,154		20,551,914	

Source of Funds—General Fund—State

APPENDIX 6(b)

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

February 20, 1975

Honorable Lloyd Meeds
House of Representatives
Washington, D.C.

Dear Mr. Meeds:

Thank you for the letter of February 14 from your Legislative Assistant, Mrs. Gertrude L. Wright, on behalf of the Washington State Legislature regarding their efforts to modify the vocational education structure and their concern for compliance with Federal requirements.

As you know, Section 123(a)(2) of the Vocational Education Act (20 U.S.C. 1263(a)(2)) authorizes the Commissioner to approve a State plan if he determines that the plan:

> "(2) designates the State board as the sole agency for administration of the State plan, or for supervision of the administration thereof by local educational agencies;"

"State board" is defined in Section 108(8) (20 U.S.C. 1248(8) to mean:

> ". . . a State board designated or created by State law as the sole State agency responsible for the administration of vocational education, or for supervision of the administration thereof by local educational agencies, in the State."

As you know also, the provision for waiver of the single State agency requirement is found in Section 204 of the Intergovernmental Cooperation Act of 1968 (42 U.S.C. 4214).

Briefly, this section authorizes the head of any Federal agency, upon request of the Governor (or other appropriate State authority) to waive the single State agency:

> " . . . upon adequate showing that such provision prevents the establishment of the most effective and efficient organizational arrangements within the State government . . . ."

and provided the head of the agency determines:

> "that the objectives of the Federal statute authorizing the grant-in-aid program will not be endangered by the use of such other State structure or arrangements."

APPENDIX 7

The answers to the five numbered questions in Gordon Sandison's letter to you of February 6, 1975, are as follows:

1. Does the content of the Venn memo continue to represent a viable alternative?

Yes. There has been no change in the law, or interpretation thereof, which would render the Venn memo of January 30, 1969, inoperative.

2. Has this alternative been used in any other State?

No. Program officials inform us that there has been no application for a waiver of the single State agency requirement by any State in relation to the Vocational Education program.

3. To whom should he address an inquiry regarding review of a proposal that may be developed by the State of Washington under this option?

The Commissioner of Education (with the approval of the Secretary) must approve an application for waiver. You may, however, address inquiries regarding proposals to Dr. William F. Pierce, Deputy Commissioner for the Bureau of Adult and Vocational Education, Room 4153, FOB #6, Washington, D.C. 20202.

4. Would a joint board composed of the representative membership of the governing boards of the two agencies qualify as the sole State agency if so designated by State law?

Such a board made up of the members of two other boards would qualify as the sole State agency, if so designated by State law.

5. Are there additional alternatives available to this State which will assist to provide functional organizational arrangements within State government?

Since no State has applied for a waiver of the single State agency requirement, we do not have any practical experience on which to base an answer. We, therefore, hesitate to suggest alternative arrangements for your State. We shall, however, be glad to have our staff review any proposals you may wish to suggest.

If the Office of Legislation can be of further assistance, please let us know.

Sincerely yours,

Albert L. Alford

Albert L. Alford
Assistant Commissioner
for Legislation

§ 1244. National and State Advisory Councils—National Advisory Council on Vocational Education; establishment; membership; duties; reports; technical assistance

(a)(1) There is hereby created a National Advisory Council on Vocational Education (hereinafter referred to as the "National Council") consisting of twenty-one members appointed by the President, without regard to the civil service laws, for terms of three years, except that (i) in the case of the initial members, seven shall be appointed for terms of one year each and seven shall be appointed for terms of two years each, and (ii) appointments to fill vacancies shall be only for such terms as remain unexpired. The Council shall include persons—

(A) representative of labor and management, including persons who have knowledge of the semiskilled, skilled, and technical employment in such occupational fields as agriculture, home economics, distribution and marketing, health, trades, manufacturing, office and service industries, and persons representative of new and emerging occupational fields,

(B) familiar with manpower problems and administration of manpower programs,

(C) knowledgeable about the administration of State and local vocational education programs, including members of local school boards,

(D) experienced in the education and training of handicapped persons,

(E) familiar with the special problems and needs of individuals disadvantaged by their socioeconomic backgrounds,

(F) having special knowledge of postsecondary and adult vocational education programs, and

(G) representative of the general public who are not Federal employees, including parents and students, except that they may not be representative of categories (A) through (F), and who shall constitute no less than one-third of the total membership.

The National Council shall meet at the call of the Chairman, who shall be selected by the President, but not less than four times a year.

(2) The National Council shall—

(A) advise the Commissioner concerning the administration of, preparation of general regulations for, and operation of, vocational education programs supported with assistance under this chapter, and under part B of title X of the Higher Education Act of 1965;

(B) review the administration and operation of vocational education programs under this chapter, and under part B of title

X of the Higher Education Act of 1965, including the effectiveness of such programs in meeting the purposes for which they are established and operated, make recommendations with respect thereto, and make annual reports of its findings and recommendations (including recommendations for changes in the provisions of this chapter) to the Secretary for transmittal to the Congress; and

(C) conduct independent evaluations of programs carried out under this chapter, and under part B of title X of the Higher Education Act of 1965, and publish and distribute the results thereof.

(3) Repealed. Pub.L. 91-230, Title IV, § 401(h)(6), Apr. 13, 1970, 84 Stat. 174.

(4) The Council is authorized, without regard to the civil service laws, to engage such technical assistance as may be required to carry out its functions, and to this end there are hereby authorized to be appropriated for the fiscal year ending June 30, 1969, $100,000, and for the fiscal year ending June 30, 1970, and each of the five succeeding fiscal years, $150,000.

(5) The National Council shall review the possible duplication of vocational education programs at the postsecondary and adult levels within geographic areas, and shall make annual reports of the extent to which such duplication exists, together with its findings and recommendations, to the Secretary. In making these reports, the Council shall seek the opinions of persons familiar with postsecondary and adult vocational education in each State from schools, junior colleges, technical institutes, and other institutions of higher education, as well as from State boards of education, State junior college boards, and State boards of higher education, and persons familiar with area schools, labor, business and industry, accrediting commissions, proprietary institutions, and manpower programs.

State Advisory Councils

(b)(1) Any State which desires to receive a grant under this chapter for any fiscal year shall establish a State advisory council, which shall be appointed by the Governor or, in the case of States in which the members of the State board are elected (including election by the State legislature), by such board, and which shall—

(A) include as members a person or persons—

(i) familiar with the vocational needs and the problems of management and labor in the State, and a person or persons representing State industrial and economic development agencies,

(ii) representative of community and junior colleges and other institutions of higher education, area vocational schools, technical institutes, and postsecondary or adult

education agencies or institutions, which may provide programs of vocational or technical education and training,

(iii) familiar with the administration of State and local vocational education programs, and a person or persons having special knowledge, experience, or qualifications with respect to vocational education and who are not involved in the administration of State or local vocational education programs,

(iv) familiar with programs of technical and vocational education, including programs in comprehensive secondary schools,

(v) representative of local educational agencies, and a person or persons who are representative of school boards,

(vi) representative of manpower and vocational education agencies in the State, including a person or persons from the Comprehensive Area Manpower Planning System of the State,

(vii) representing school systems with large concentrations of academically, socially, economically, and culturally disadvantaged students,

(viii) having special knowledge, experience, or qualifications, with respect to the special educational needs of physically or mentally handicapped persons, and

(ix) representative of the general public, including a person or persons representative of and knowledgeable about the poor and disadvantaged, who are not qualified for membership under any of the preceding clauses of this paragraph;

(B) advise the State board on the development of and policy matters arising in the administration of the State plan submitted pursuant to subchapter II of this chapter, including the preparation of long-range and annual program plans pursuant to paragraphs (4) and (5) of section 1263(a) of this title;

(C) evaluate vocational education programs, services, and activities assisted under this chapter, and publish and distribute the results thereof; and

(D) prepare and submit through the State board to the Commissioner and to the National Council an annual evaluation report, accompanied by such additional comments of the State board as the State board deems appropriate, which (i) evaluates the effectiveness of vocational education programs, services, and activities carried out in the year under review in meeting the program objectives set forth in the long-range program plan and the annual program plan provided for in paragraphs (4) and (5) of section 1263(a) of this title, and (ii) rec-

ommends such changes in such programs, services, and activities as may be warranted by the evaluations.

(2) Not less than ninety days prior to the beginning of any fiscal year ending after June 30, 1969, in which a State desires to receive a grant under this chapter, that State shall certify the establishment of, and membership of, its State Advisory Council to the Commissioner.

(3) Each State Advisory Council shall meet within thirty days after certification has been accepted by the Commissioner and select from among its membership a chairman. The time, place, and manner of meeting shall be as provided by the rules of the State Advisory Council, except that such rules must provide for not less than one public meeting each year at which the public is given opportunity to express views concerning vocational education.

(4) State Advisory Councils are authorized to obtain the services of such professional, technical, and clerical personnel as may be necessary to enable them to carry out their functions under this chapter and to contract for such services as may be necessary to enable them to carry out their evaluation functions.

Funds to State Advisory Councils for occupational education programs

(c) State advisory councils also shall perform with respect to the programs carried out under part B of title X of the Higher Education Act of 1965 functions identical with or analogous to those assigned under this chapter, and the Commissioner shall assure that adequate funds are made available to such Councils from funds appropriated to carry out part B of that title (without regard to whether such funds have been allotted to States) to enable them to perform such functions.

Payments to State Advisory Councils; limitations

(d) From the sums appropriated pursuant to section 1242(c) of this title for any fiscal year, the Commissioner is authorized (in accordance with regulations) to pay to each State Advisory Council an amount equal to the reasonable amounts expended by it in carrying out its functions under this chapter in such fiscal year, except that the amount available for such purpose shall be equal to 1 per centum of the State's allotment under section 1243 of this title, but such amount shall not exceed $150,000 and shall not be less than $50,000.

Pub.L. 88–210, Title I, § 104, as added Pub.L. 90–576, Title I, § 101(b), Oct. 16, 1968, 82 Stat. 1066, and amended Pub.L. 91–230, Title IV, § 401(h)(6), Title VII, § 703, Apr. 13, 1970, 84 Stat. 174, 189; Pub.L. 92–318, Title II, § 209, Title V, § 509(b), June 23, 1972, 86 Stat. 326, 353.

Historical Note

References in Text. The civil service laws, referred to in subsec. (a)(1), (4), are classified generally to Title 5, Government Organization and Employees.

Part B of title X of the Higher Education Act of 1965, referred to in subsecs. (a)(2), (c), is classified to section 1135b et seq. of this title.

1974 Amendment. Subsec. (a)(2), Pub.L. 92-318, § 509(b)(1), inserted ", and under part B of title X of the Higher Education Act of 1965" following "under this chapter" wherever appearing in subpars. (A)–(C).

Subsec. (a)(4). Pub.L. 92-318, § 509, substituted "five" for "two" succeeding years.

Subsec. (c). Pub.L. 92-318, § 509(b)(2), added subsec. (c). Former subsec. (c) redesignated (d).

Subsec. (d). Pub.L. 92-318, § 509(b)(2), redesignated former subsec. (c) as (d).

1970 Amendment. Subsec. (a)(3). Pub.L. 91-230, § 401(h)(6), repealed subsec. (a)(3), which related to compensation ($100 per day limitation, including traveltime) and travel expenses of members of the National Advisory Council on Vocational Education, and is now covered by section 1233c of this title.

Subsec. (b)(1). Pub.L. 91-230, § 703, inserted "(including election by the State legislature)" following "members of the State board are elected" in the text preceding subpar. (A).

Effective Date. Section effective Oct. 16, 1968, except that section shall not, during fiscal year ending June 30, 1969, apply with respect to programs which are continuations of programs carried on under any State's plan during the preceding fiscal year, see section 102 of Pub.L. 90-576, set out as a note under section 1241 of this title.

Termination of Advisory Councils. Advisory Councils in existence on January 5, 1973, to terminate not later than the expiration of the two-year period following January 5, 1973, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such two-year period, or in the case of a council established by the Congress, its duration is otherwise provided by law, see sections 3(2) and 14 of Pub.L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

Legislative History. For legislative history and purpose of Pub.L. 90-576, see 1968 U.S.Code Cong. and Adm.News, p. 4104. See, also, Pub.L. 91-230, 1970 U.S. Code Cong. and Adm.News, p. 2708, Pub.L. 92-318, 1972 U.S.Code Cong. and Adm.News, p. 2462.

Library References

United States ⇐82. C.J.S. United States § 122.

Code of Federal Regulations

Establishment, etc., of Councils, see 45 CFR 102.21 to 102.26.

§§ 1245, 1246. Repealed Pub.L. 91-230, Title IV, § 401(f)(8), (g)(6), Apr. 13, 1970, 84 Stat. 174

Historical Note

Sections, Pub.L. 88-210, Title I, §§ 105, 106, as added Pub.L. 90-576, Title I, § 101(b), Oct. 16, 1968, 82 Stat. 1066, prohibited Federal control of education (curriculum, program of instruction, administration, or personnel of any educational institution or school system), and related to labor standards requirement (prevailing wage rates), and are now covered by sections 1232a and 1232b of this title, respectively.

§ 1247. Limitation on payments

(a) Nothing contained in this chapter shall be construed to authorize the making of any payment under this chapter for religious worship or instruction, or for the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship.

(b) Funds appropriated pursuant to this chapter may be used for residential vocational education schools only to the extent that the operation of such schools is consistent with general regulations of the Commissioner concerning the operation of such schools, but in no case may juveniles be assigned to such schools as the result of their delinquent conduct, and such facilities may not be used in such a manner as to result in racial segregation.

Pub.L. 88-210, Title I, § 107, as added Pub.L. 90-576, Title I, § 101(b), Oct. 16, 1968, 82 Stat. 1069.

Historical Note

Effective Date. Section effective Oct. 16, 1968, except that section shall not, during fiscal year ending June 30, 1969, apply with respect to programs which are continuations of programs carried on under any State's plan during the preceding fiscal year, see section 102 of Pub.L. 90-576, set out as a note under section 1241 of this title.

Legislative History. For legislative history and purpose of Pub.L. 90-576, see 1968 U.S.Code Cong. and Adm.News, p. 4184.

Library References

United States ⇐62. C.J.S. United States § 122.

§ 1248. Definitions

For the purposes of this chapter—

(1) The term "vocational education" means vocational or technical training or retraining which is given in schools or classes (including field or laboratory work and remedial or related academic and technical instruction incident thereto) under public supervision and control or under contract with a State board or local educational agency and is conducted as part of a program designed to prepare individuals for gainful employment (including volunteer firemen) as semiskilled or skilled workers or technicians or subprofessionals in recognized occupations and in new and emerging occupations or to prepare individuals for enrollment in advanced technical education programs, but excluding any program to prepare individuals for employment in occupations which the Commissioner determines, and specifies by regulation, to be generally considered professional or which requires a baccalaureate or higher degree; and such term includes vocational guidance and counseling (individually or through group instruction) in connection with such training or for the purpose of facilitating occupational choices; instruction related to the

occupation or occupations for which the students are in training or instruction necessary for students to benefit from such training; job placement; the training of persons engaged as, or preparing to become, teachers in a vocational education program or preparing such teachers to meet special education needs of handicapped students; teachers, supervisors, or directors of such teachers while in such a training program; travel of students and vocational education personnel while engaged in a training program; and the acquisition, maintenance, and repair of instructional supplies, teaching aids, and equipment, but such term does not include the construction, acquisition, or initial equipment of buildings or the acquisition or rental of land. Such term includes industrial arts education programs in cases where the Commissioner determines by regulation that such programs will accomplish or facilitate one or more of the purposes of the first sentence of this paragraph.

(2) The term "area vocational education school" means—

(A) a specialized high school used exclusively or principally for the provision of vocational education to persons who are available for study in preparation for entering the labor market, or

(B) the department of a high school exclusively or principally used for providing vocational education in no less than five different occupational fields to persons who are available for study in preparation for entering the labor market, or

(C) a technical or vocational school used exclusively or principally for the provision of vocational education to persons who have completed or left high school and who are available for study in preparation for entering the labor market, or

(D) the department or division of a junior college or community college or university which provides vocational education in no less than five different occupational fields, under the supervision of the State Board, leading to immediate employment but not necessarily leading to a baccalaureate degree,

if it is available to all residents of the State or an area of the State designated and approved by the State Board, and if, in the case of a school, department, or division described in (C) or (D), it admits as regular students both persons who have completed high school and persons who have left high school.

(3) The term "school facilities" means classrooms and related facilities (including initial equipment) and interests in lands on which such facilities are constructed. Such term shall not include any facility intended primarily for events for which admission is to be charged to the general public.

(4) The term "construction" includes construction of new buildings and acquisition, expansion, remodeling, and alteration of exist-

ing buildings, and includes site grading and improvement and architect fees.

(5) The term "Commissioner" means the Commissioner of Education, and the term "Secretary" means the Secretary of Health, Education, and Welfare.

(6) The term "handicapped", when applied to persons, means persons who are mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled or other health impaired persons who by reason thereof require special education and related services.

(7) The term "State" includes, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

(8) The term "State board" means a State board designated or created by State law as the sole State agency responsible for the administration of vocational education, or for supervision of the administration thereof by local educational agencies, in the State.

(9) The term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State, or any other public educational institution or agency having administrative control and direction of a vocational education program.

(10) The term "high school" does not include any grade beyond grade 12.

(11) The term "private vocational training institution" means a business or trade school, or technical institution or other technical or vocational school, in any State, which (A) admits as regular students only persons who have completed or left elementary or secondary school and who have the ability to benefit from the training offered by such institution; (B) is legally authorized to provide, and provides within that State, a program of postsecondary vocational or technical education designed to fit individuals for useful employment in recognized occupations; (C) has been in existence for two years or has been specially accredited by the Commissioner as an institution meeting the other requirements of this subsection; and (D) is accredited (i) by a nationally recognized accrediting agency or association listed by the Commissioner pursuant to this clause, or (ii) if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit schools of a particular category, by a State agency listed by the Commissioner pursuant to this clause, or (iii) if the Commissioner determines that there is no nationally recognized or State agency or association qualified to accredit schools of a particular

category, by an advisory committee appointed by him and composed of persons specially qualified to evaluate training provided by schools of that category, which committee shall prescribe the standards of content, scope, and quality which must be met by those schools and shall also determine whether particular schools meet those standards. For the purpose of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations and State agencies which he determines to be reliable authority as to the quality of education or training afforded.

(12) The term "Vocational Education Act of 1946" means titles I, II, and III of the Act of June 9, 1936, as amended.

(13) The term "supplementary vocational education Acts" means section 1 of the Act of March 3, 1931 (relating to vocational education in Puerto Rico), the Act of March 18, 1950 (relating to vocational education in the Virgin Islands), and section 9 to the Act of August 1, 1956 (relating to vocational education in Guam).

Pub.L. 88–210, Title I, § 108, as added Pub.L. 90–576, Title I, § 101(b), Oct. 16, 1968, 82 Stat. 1069, and amended Pub.L. 92–318, Title II, § 202, June 23, 1972, 86 Stat. 325.

Historical Note

References in Text. The Vocational Education Act of 1946, Titles I, II, and III, of Act June 9, 1936, as amended, referred to in par. (12), was classified to sections 15i-15ii of this title prior to their repeal by section 103 of Pub.L. 90-576, Title I, Oct. 16, 1968, 82 Stat. 1091.

Section 1 of the Act of March 3, 1931, the Act of March 18, 1950, and section 9 of the Act of August 1, 1956, referred to in par. (13), were classified respectively to sections 30, 31-33, and 34 of this title, prior to their repeal by section 103 of Pub.L. 90-576, Title I, Oct. 16, 1968, 82 Stat. 1091.

1972 Amendment. Par. (1). Pub.L. 92-318 extended term "vocational education" to include arts education programs in cases where the Commissioner determines by regulation that such programs will accomplish or facilita e one or more of the described purposes and authorized preparation of individuals for employment as volunteer firemen, respectively.

Effective Date. Section effective Oct. 16, 1968, except that section shall not, during fiscal year ending June 30, 1969, apply with respect to programs which are continuations of programs carried on under any State's plan during the preceding fiscal year, see section 102 of Pub.L. 90-576, set out as a note under section 1241 of this title.

Legislative History. For legislative history and purpose of Pub.L. 90-576, see 1968 U.S.Code Cong. and Adm.News, p. 4164. See, also, Pub.L. 92-318, 1972 U.S. Code Cong. and Adm.News, p. 2462.

Library References

United States ⇐82. C.J.S. United States § 122.

SUBCHAPTER II.—STATE VOCATIONAL EDUCATION PROGRAMS

Historical Note

Codification. This subchapter in the 88-210, as added by Pub.L. 90-576, Title original, was part B of Title I of Pub.L. I, § 101(b), Oct. 16, 1968, 82 Stat. 1072.

§ 1261. Authorization of grants

From the sums made available for grants under this subchapter pursuant to sections 1242 and 1243 of this title, the Commissioner is authorized to make grants to States to assist them in conducting vocational education programs for persons of all ages in all communities of the States, which are designed to insure that education and training programs for career vocations are available to all individuals who desire and need such education and training.

Pub.L. 88-210, Title I, § 121, as added Pub.L. 90-576, Title I, § 101(b), Oct. 16, 1968, 82 Stat. 1072.

Historical Note

Effective Date. Section effective Oct. 16, 1968, except that section shall not, during fiscal year ending June 30, 1969, apply with respect to programs which are continuations of programs carried on under any State's plan during the preceding fiscal year, see section 102 of Pub.L. 90-576, set out as a note under section 1241 of this title.

Legislative History. For legislative history and purpose of Pub.L. 90-576, see 1968 U.S.Code Cong. and Adm.News, p. 4164.

Library References

United States ⇐82, 85. C.J.S. United States §§ 122, 123.

§ 1262. Uses of federal funds—Authorized purposes for grants

(a) Grants to States under this subchapter may be used, in accordance with State plans approved pursuant to section 1263 of this title, for the following purposes;

(1) vocational education programs for high school students, including such programs which are designed to prepare them for advanced or highly skilled postsecondary vocational and technical education;

(2) vocational education for persons who have completed or left high school and who are available for study in preparation for entering the labor market;

(3) vocational education for persons (other than persons who are receiving training allowances under the Manpower Development and Training Act of 1962, the Area Redevelopment Act, or the Trade Expansion Act of 1962) who have already entered the

labor market and who need training or retraining to achieve stability or advancement in employment;

(4)(A) vocational education for persons (other than handicapped persons defined in section 1248(6) of this title) who have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education program;

(B) vocational education for handicapped persons who because of their handicapping condition cannot succeed in the regular vocational education program without special educational assistance or who require a modified vocational education program;

(5) construction of area vocational education school facilities;

(6) vocational guidance and counseling designed to aid persons enumerated in paragraphs (1) through (4) of this subsection in the selection of, and preparation for, employment in all vocational areas;

(7) provision of vocational training through arrangements with private vocational training institutions where such private institutions can make a significant contribution to attaining the objectives of the State plan, and can provide substantially equivalent training at a lesser cost, or can provide equipment or services not available in public institutions; and

(8) ancillary services and activities to assure quality in all vocational education programs, such as teacher training and supervision, program evaluation, special demonstration and experimental programs, development of instructional materials, and improved State administration and leadership, including periodic evaluation of State and local vocational education programs and services in light of information regarding current and projected manpower needs and job opportunities.

Additional authorized uses

(b) In addition to the uses of funds specified in subsection (a) of this section, funds appropriated pursuant to section 1242(c) of this title, and paid to a State for the following purpose by the Commissioner may be used for—

(1) the development of the State plan;

(2) State administration of the State plan, including obtaining information regarding current and projected manpower needs and job opportunities; and

(3) the evaluations required under this chapter and the dissemination of the results thereof.

Base allotment

(c)(1) At least 25 per centum of that portion of each State's allotment of funds appropriated under section 1242(a) of this title for any fiscal year beginning after June 30, 1969, which is in excess of its base allotment shall be used only for the purpose set forth in paragraph (4)(A) of subsection (a) of this section: *Provided*, That for any such fiscal year the amount used for such purpose shall not be less than 15 per centum of the total allotment of such funds for each State, except as any requirement under this paragraph may be waived for any State by the Commissioner for any fiscal year upon his finding that the requirement imposes a hardship or is impractical in its application.

(2) At least 25 per centum of that portion of each State's allotment of funds appropriated under section 1242(a) of this title for any fiscal year beginning after June 30, 1969, which is in excess of its base allotment shall be used only for the purpose set forth in paragraph (2) of subsection (a) of this section: *Provided*, That for any such fiscal year the amount used for such purpose shall not be less than 15 per centum of the total allotment of such funds for each State, except as any requirement under this paragraph may be waived for any State by the Commissioner for any fiscal year upon his finding that the requirement imposes a hardship or is impractical in its application.

(3) At least 10 per centum of each State's allotment of funds appropriated under section 1242(a) of this title for any fiscal year beginning after June 30, 1969, shall be used only for the purpose set forth in paragraph 4(B) of subsection (a) of this section.

(4) As used in this subsection, the term "base allotment" means the sum of the allotments to a State for the fiscal year ending June 30, 1969, from (1) sums appropriated under section 1242(a) of this title, (2) the Smith-Hughes Act (that is, the Act approved February 23, 1917), (3) the Vocational Education Act of 1946, and (4) any of the supplementary vocational educational Acts (including, in the case of American Samoa, section 2 of the Act of September 25, 1962).

Pub.L. 88-210, Title I, § 122, as added Pub.L. 90-576, Title I, § 101(b), Oct. 16, 1968, 82 Stat. 1072.

Historical Note

References in Text. The Manpower Development and Training Act of 1962, referred to in subsec. (a)(3), is Pub.L. 87-415, Mar. 15, 1962, 76 Stat. 23, which is classified to section 2571 et seq. of Title 42, The Public Health and Welfare.

The Area Redevelopment Act, referred to in subsec. (a)(3), is Pub.L. 87-27, May 1, 1961, 75 Stat. 47, which was classified to former chapter 28 of Title 42.

The Trade Expansion Act of 1962, referred to in subsec. (a)(3), is Pub.L. 87-794, Oct. 11, 1962, 76 Stat. 872, which is classified principally to section 1801 et seq. of Title 19, Customs Duties.

The Smith-Hughes Act (that is the Act approved February 23, 1917), referred to in subsec. (c)(4), is classified to sections 11-15 and 16-28 of this title.

The Vocational Education Act of 1946, referred to in subsec. (c)(4), is Act June 8, 1936, c. 541, 49 Stat. 1488, as amended, which, prior to its repeal by section 103 of Pub.L. 90-576, Title I, Oct. 16, 1968, 82 Stat. 1091, was classified to sections 15i-15ggg of this title. See section 1248(12) of this title.

The supplementary vocational educational Acts (including in the case of American Samoa, section 2 of the Act of September 25, 1962), referred to in subsec. (c)(4), were, prior to their repeal by section 103 of Pub.L. 90-576, Title I, Oct. 16, 1968, 82 Stat. 1091, classified to sections 30-34 of this title and section 1057 of Title 48, Territories and Insular Possessions. See section 1248(13) of this title.

Effective Date. Section effective Oct. 16, 1968, except that section shall not, during fiscal year ending June 30, 1969, apply with respect to programs which are continuations of programs carried on under any State's plan during the preceding fiscal year, see section 102 of Pub.L. 90-576, set out as a note under section 1241 of this title.

Legislative History. For legislative history and purpose of Pub.L. 90-576, see 1968 U.S.Code Cong. and Adm.News, p. 4164.

Library References

United States ⇐82 C.J.S. United States § 122.

Code of Federal Regulations

Indirect costs under program, see 45 CFR 100c.1 et seq.
Program and project policies and procedures, see 45 CFR 102.1 et seq.
State administered programs, see 45 CFR 100b.10 et seq.

§ 1263. State plans—Requirements of State plans

(a) Any State desiring to receive the amount for which it is eligible for any fiscal year pursuant to this chapter shall submit a State plan at such time, in such detail, and containing such information as the Commissioner deems necessary, which meets the requirements set forth in this chapter. The Commissioner shall approve a plan submitted by a State if he determines that the plan submitted for that year—

(1) has been prepared in consultation with the State advisory council for that State;

(2) designates the State board as the sole agency for administration of the State plan, or for supervision of the administration thereof by local educational agencies;

(3) has been submitted only after the State board (A) has given reasonable notice, and afforded a reasonable opportunity for a public hearing, and (B) has implemented policies and procedures to insure that copies of the State plan and all statements of general policies, rules, regulations, and procedures issued by the State board concerning the administration of such plan will be made reasonably available to the public;

(4) sets forth a long-range program plan (or, as is appropriate, a supplement to, or revision of, a previously submitted long-range plan) for vocational education in the State, which program plan (A) has been prepared in consultation with the

State advisory council, (B) extends over such period of time (but not more than five years or less than three years), beginning with the fiscal year for which the State plan is submitted, as the Commissioner deems necessary and appropriate for the purposes of this chapter, (C) describes the present and projected vocational education needs of the State in terms of the purposes of this chapter, and (D) sets forth a program of vocational education objectives which affords satisfactory assurance of substantial progress toward meeting the vocational education needs of the potential students in the State;

(5) sets forth an annual program plan, which (A) has been prepared in consultation with the State advisory council, (B) describes the content of, and allocation of Federal and State vocational education funds to programs, services, and activities to be carried out under the State plan during the year for which Federal funds are sought (whether or not supported with Federal funds under this chapter), (C) indicates how and to what extent, such programs, services, and activities will carry out the program objectives set forth in the long-range program plan provided for in paragraph (4), and (D) indicates how, and to what extent, allocations of Federal funds allotted to the State will take into consideration the criteria set forth in the State plan pursuant to paragraph (6), and (E) indicates the extent to which consideration was given to the findings and recommendations of the State advisory council in its most recent evaluation report submitted pursuant to section 1244 of this title;

(6) sets forth in detail the policies and procedures to be followed by the State in the distribution of funds to local educational agencies in the State and for the uses of such funds, specified in paragraphs (1) through (8) of section 1262(a) of this title, for the programs, services, and activities set forth in the program plans submitted pursuant to paragraphs (4) and (5), which policies and procedures assure that—

(A) due consideration will be given to the results of periodic evaluations of State and local vocational education programs, services, and activities in the light of information regarding current and projected manpower needs and job opportunities, particularly new and emerging needs and opportunities on the local, State, and national levels,

(B) due consideration will be given to the relative vocational education needs of all population groups in all geographic areas and communities in the State, particularly persons with academic, socioeconomic, mental, and physical handicaps that prevent them from succeeding in regular vocational education programs,

(C) due consideration will be given to the relative ability of particular local educational agencies within the State, particularly those in economically depressed areas and those with high rates of unemployment, to provide the resources necessary to meet the vocational education needs in the areas or communities served by such agencies,

(D) due consideration will be given to the cost of the programs, services, and activities provided by local educational agencies which is in excess of the cost which may be normally attributed to the cost of education in such local educational agencies,

(E) funds made available under this chapter will not be allocated to local educational agencies in a manner, such as the matching of local expenditures at a percentage ratio uniform throughout the State, which fails to take into consideration the criteria set forth in paragraphs (A), (B), (C), and (D),

(F) applications from local educational agencies for funds—

(i) have been developed in consultation with representatives of the educational and training resources available to the area to be served by the applicant,

(ii) are designed to provide the persons to be served with education programs which will make substantial progress toward preparing such persons for a career,

(iii) include assurances of adequate planning to meet the vocational education needs of potential students in the area or community served by such agency, and,

(iv) include a plan, related to the appropriate comprehensive area manpower plan (if any), for meeting the vocational education needs in the area or community served by such agency; and

(v) indicate how, and to what extent the vocational education programs, services, and activities proposed in the application will meet the needs set forth pursuant to clause (iii); and

(G) no local educational agency which is making a reasonable tax effort, as defined by regulations, will be denied funds for the establishment of new vocational education programs solely because the local educational agency is unable to pay the non-Federal share of the cost of such new programs;

(7) provides minimum qualification for teachers, teacher-trainees, supervisors, directors, and other personnel having re-

sponsibilities for vocational education in the State and the policies and procedures developed to improve the qualifications of such personnel and to insure that such qualifications continue to reflect a direct relationship with the need for personnel in vocational education programs carried out under the State plan;

(8) provides for entering into cooperative arrangements with the system of public employment offices in the State approved by the State board and by the State head of such system, looking toward such offices making available to the State board and local educational agencies occupational information regarding reasonable prospects of employment in the community and elsewhere, and toward consideration of such information by such board and agencies in providing vocational guidance and counseling to students and prospective students and in determining the occupations for which persons are to be trained; and looking toward guidance and counseling personnel of the State board and local educational agencies making available to public employment offices information regarding the occupational qualifications of persons leaving or completing vocational education courses or schools, and toward consideration of such information by such offices in the occupational guidance and placement of such persons;

(9) provides that in the development of vocational education programs, services and activities under this chapter, there may be, in addition to the cooperative arrangements provided for in paragraph (8), cooperative arrangements with other agencies, organizations, and institutions concerned with manpower needs and job opportunities such as institutions of higher education, and model city, business, labor, and community action organizations;

(10) provides that effective use will be made of the results and experience of programs and projects assisted under other parts of this chapter;

(11) provides assurance that Federal funds made available under this subchapter will be so used as to supplement, and to the extent practical, increase the amount of State and local funds that would in the absence of such Federal funds be made available for the uses set forth in section 1262(a) of this title, so that all persons in all communities of the State will as soon as possible have ready access to vocational training suited to their needs, interests, and ability to benefit therefrom, and in no case supplant such State or local funds;

(12) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including

such funds paid by the State to local educational agencies) under this chapter;

(13) provides that any local educational agency dissatisfied with final action with respect to any application for funds under this chapter shall be given reasonable notice and opportunity for a hearing;

(14) provides assurance that the requirements of section 1246 of this title will be complied with on all construction projects in the State assisted under this chapter;

(15) provides for compliance with the requirements with respect to the use of funds set forth in section 1262(c) of this title;

(16) provides that grants made from sums appropriated under section 1242(b) of this title shall (A) be allocated within the State to areas of high concentration of youth unemployment and school dropouts, and (B) be made only if (i) to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the program or project involved is to meet, provision has been made for the participation of such students, and (ii) effective policies and procedures will be adopted which assure that Federal funds made available under this section to accommodate students in nonprofit private schools will not be commingled with State or local funds;

(17) provides for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his functions under this chapter, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports; and

(18) includes provisions which shall assure that funds authorized by this chapter will not be used for any program of vocational education (except homemaking programs under subchapter VI of this chapter) which cannot be demonstrated to (A) prepare students for employment or (B) be necessary to prepare individuals for succesaful completion of such a program, or (C) be of significant assistance to individuals enrolled in making an informed and meaningful occupational choice.

Compliance with requirements; findings

(b) The Commissioner shall not approve a State plan under this section until he has made specific findings as to the compliance of such plan with the requirements of this subchapter and he is satisfied that adequate procedures are set forth to insure that the assurances and provisions of such plan will be carried out.

Procedure for appeal by State board from determination of Commissioner

(c)(1) The Commissioner shall not finally disapprove any plan submitted under subsection (a) of this section, or any modification thereof, without first affording the State board submitting the plan reasonable notice and opportunity for a hearing.

(2) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State board administering a State plan approved under subsection (a) of this section, finds that—

(A) the State plan has been so changed that it no longer complies with the provisions of subsection (a) of this section, or

(B) in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State board that no further payments will be made to the State under this chapter (or, in his discretion, further payments to the State will be limited to programs under or portions of the State plan not affected by such failure) until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, the Commissioner shall make no further payments to such State under this chapter (or shall limit payments to programs under or portions of the State plan not affected by such failure).

(3) A State board which is dissatisfied with a final action of the Commissioner under this subsection or subsection (b) of this section may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner, or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of Title 28. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record the Commissioner may modify or set aside his action. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Commissioner shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of Title 28. The commencement of proceedings under this

subsection shall not, unless so specifically ordered by the court, operate as a stay of the Commissioner's action.

Procedure for appeal by local agency from determination of State board

(d)(1) If any local educational agency is dissatisfied with the final action of the State board with respect to approval of an application by such local agency for a grant pursuant to this subchapter, such local agency may, within sixty days after such final action or notice thereof, whichever is later, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State board. The State board thereupon shall file in the court the record of the proceedings on which the State board based its action as provided in section 2112 of Title 28.

(2) The findings of fact by the State board, if supported by substantial evidence shall be conclusive; but the court, for good cause shown, may remand the case to the State board to take further evidence, and the State board may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings.

(3) The court shall have jurisdiction to affirm the action of the State board or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of Title 28.

Pub.L. 88-210, Title I, § 123, as added Pub.L. 90-576, Title I, § 101(b), Oct. 16, 1968, 82 Stat. 1073.

Historical Note

References in Text. Section 1246 of this title, referred to in subsec. (a)(14), was repealed by Pub.L. 91-230, Title IV, § 401(g)(6), Apr. 13, 1970, 84 Stat. 174, and is now covered by section 1232b of this title.

Effective Date. Section effective Oct. 16, 1968, except that section shall not, during fiscal year ending June 30, 1969, apply with respect to programs which are continuations of programs carried on under any State's plan during the preceding fiscal year, see section 102 of Pub.L. 90-576, set out as a note under section 1241 of this title.

Legislative History. For legislative history and purpose of Pub.L. 90-576, see 1968 U.S.Code Cong. and Adm.News, p. 4104.

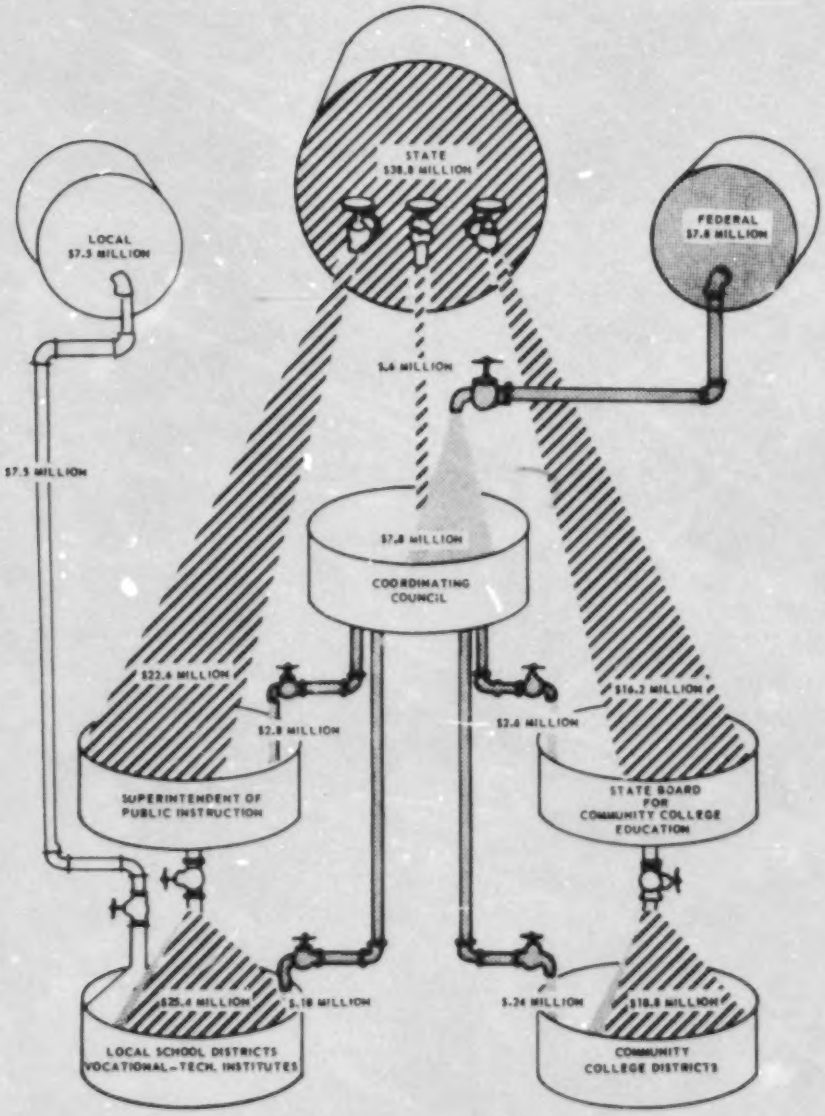
Library References

United States ⇐=82. C.J.S. United States § 122.

West's Federal Forms

Enforcement and review of decisions and orders of administrative agencies, see § 851 et seq.
Stays, see § 445 Comment.
Supreme Court,
Jurisdiction on certificate, see § 321 et seq.
Jurisdiction on writ of certiorari, see § 221 et seq.

FLOW OF VOCATIONAL FUNDING IN ONE STATE



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Taken from "What is the Role of Federal Assistance for Vocational Education?". Report to the Congress by the Comptroller General of the United States, Dec. 31, 1974.

APPENDIX 9

SPI **Superintendent of Public Instruction**
DR. FRANK B. BROUILLET · OLD CAPITOL BLDG., OLYMPIA, WASH. 98504

February 19, 1975

TO. MEMBERS OF THE SENATE SELECT COMMITTEE ON VOCATIONAL EDUCATION

FROM: FRANK B. BROUILLET

RE: TESTIMONY ON PROPOSED DRAFT OF SENATE BILL NO. 2463

On February 13, before the Senate Ways and Means Committee, I testified to the fact that the basic problem in vocational education and other related and unrelated educational problems is the fact that there are too many state agencies attempting to make value judgments in education. I further noted that the problem went beyond vocational education and beyond the personalities involved and that unless fixed would continue to surface from time to time. For your convenience, I have attached to this statement a copy of my February 13 statement.

For this reason, I would oppose any effort to create a separate vocational education management system--i.e., a separate strong state board for vocational education. However, I would support a system which would unify at the state level the state board of education, the coordinating council for occupational education and the state board for community college education. Unless this is done, we will continue to have jurisdictional problems. For example, common school people are quite concerned about high school diplomas being issued by community colleges. Complaints are received in my office that the standards are lower and college recruiters have used these lower standards to encourage students to leave high school and to finish their education within the community college system. Last year almost 4,000 community college students received high school diplomas. I believe we can address this problem, but it takes a lot of energy when more than one agency is involved in the decision-making process. Somewhere down the road, it might even be possible to seriously discuss a single state agency for all of education--pre-school through graduate school. However, I doubt that will occur in the immediate future. In the meantime, I believe we should oppose any effort to further fragmentize the state's education management systems.

Specifically, regarding the proposed draft of Senate Bill No. 2463, I want to commend the drafters for the realization that the role of the coordinating council for occupational education needs to be redefined and that the CCOE can complete its task without being involved in the management of vocational education. In the next few days, our agency will submit to your staff some alternative language which supports this direction and which will not create some of the additional problems we see within the proposed draft. We want to work with you on this, and I feel confident that the task can be accomplished.

You have asked us to comment upon House Bill No. 415 of the 1973 Legislature. As you know, that bill was passed by the House during the 1973 session and was recommended for passage by the Senate Education Committee. It was our assessment that a majority of the Senate Rules Committee supported the bill, and that it stood a good chance for passage on the Senate floor. However, for a variety of reasons, it was

decided to once again study the issue. Studies have been going on for over ten years. The proposed draft of Senate Bill No. 2463 calls for yet another study--this time by five persons selected by the Governor. My assessment is that regardless of the outcomes of that study (the conclusions of which might be decided in the appointment process), House Bill No. 415 will be an issue this legislature must ultimately face, and the study by the Governor's appointees will be of minimum consequence.

The fact is that a sizeable group of people want specialized vocational-technical institutes, with their emphasis upon input from labor and management for decision making, as a viable alternative to vocational programs within community colleges. Instead of this feeling lessening since the 1967 community college act, the feeling has intensified. In Seattle, many of the apprenticeship programs have been transferred to Renton Vocational-Technical Institute and, in spite of what you might hear, for reasons other than comparable fees. The Olympia Vocational Institute, an example where a VTI is run by a college system, has been placed on the "do not patronize" list of Thurston County Labor.

If the members of this Select Committee are seriously interested in testimony on House Bill No. 415, I will be pleased to present additional comments at a later date in support of the pedagogical and socio-economic reasons for these schools to exist and to exist in friendly competition with community college programs as long as we avoid what we all oppose regarding unnecessary duplication. However, I am certain we have heard the arguments over and over and that you realize that a political decision of action or no action is in order.

I urge the members of this Select Committee to support the concepts within House Bill No. 415 and settle the fact that vocational-technical institutes will be operated by common school districts. I will submit to the staff of this committee appropriate language to accomplish this and which also addresses the question of adjudication of disputes where the issue of unnecessary duplication of programs and/or facilities has been raised.

In summary, I believe in consolidation of state agencies responsible for education as opposed to the creation of additional ones.

I believe the thrust within Senate Bill No. 2463 to redefine the role of CCDE is appropriate, and I will be submitting some alternative language to your staff.

I believe the concepts within House Bill No. 415 deserve a favorable vote and I will also submit language to accomplish this purpose and to assure legislators that unnecessary duplication of programs and/or facilities will not occur.

Thank you.

FBB:dh
2/19/75

SPI **Superintendent of Public Instruction**
DR. FRANK B. BROUILLET · OLD CAPITOL BLDG., OLYMPIA, WASH. 98504

February 11, 1975

TO: MEMBERS OF THE SENATE WAYS AND MEANS COMMITTEE

FROM: FRANK B. BROUILLET FB

RE: VOCATIONAL EDUCATION: COORDINATION, DEFINITIONS, JOINT JURISDICTION, APPROPRIATIONS

The Governor's 1975 Budget Request to the legislature strongly suggests that certain funds be impounded until the SPI and the community college system come to agreement on who is going to do what in vocational education (a mutually agreeable plan"). While I might understand the frustration which caused him to recommend this action, it is my belief that this approach deals with only one particular symptom of what is an underlying and permeating disease. The disease is an unworkable non-solution (the current administrative structure).

The difficulty represented by certain vocational concerns is not now nor has it been directly related to the personalities involved. It goes beyond the persons of Mundt, Binnie, Brouillet, certain senators and representatives, and various spokesmen for labor, business and agriculture. I also can assure you that unless remedied, the basic problem will remain with you and surface periodically whenever a new set of aggressive individuals are sitting in the respective chairs of bureaucratic, executive, legislative, and pressure group power positions.

The basic problem is that there are too many (three is, indeed, too many) state agencies with duplicating and overlapping responsibilities, each attempting to define what should be state policy and each arguing before the legislature that a particular value judgment is better than a competing one. The example currently before you is vocational education with at least four agencies directly involved--SPI, CCOE, SBCCE, CHE and several others indirectly involved. However, the scope of the problem and the extent of the symptoms are much broader than just vocational education. It extends to community schools and community service programs, high school graduation policies, advance placement programs, certification practices, salary and work load differentials between systems, differing methods of distributing the same dollars, local versus state control of policy making, single-purpose versus comprehensive educational institutions, the use or non-use of labor-management advisory committees, competition for students, methods for the collection of data,

and appropriate age for the beginning of meaningful vocational training, to mention only a few of the areas of disagreement.

In 1967 the problem then facing the legislature was how to separate community colleges from local school districts. At that time, I proposed the creation of local community college districts under a single State Board of Education, a system which would not have required the current duplicating and overlapping state jurisdiction and which would have maximized local control of community college policy making. Dragged into the "separation" legislation was the entire subject of vocational education with its federal requirements. Rather than adequately dealing with each subject, the new legislation:

--established a state board for community college education,

--centralized local community college decision making in Olympia,

--set up many areas of overlapping jurisdiction,

--created a third agency called a coordinating council, which neither coordinates nor administers vocational education, and then

--defined the responsibilities of the several agencies in such a fashion as to guarantee continuous conflict.

Since that date, there have been several legislative attempts to make corrective changes, and each time it has resulted in more confusion and contested debate within the legislature. Today we are proposing the expansion of the number of vocational skills centers and the fear appears to be that if the common schools do a good job before high school graduation, it will not be necessary to build or expand vocational facilities in the community colleges (thereby stalling adequate vocational programs until after high school). This opposition to secondary vocational education is contrary to all polls and surveys which indicate that the expansion of secondary vocational facilities is the highest priority of our citizens and legislators. The creation of additional vocational skill centers will permit the common schools to do the kind of job that our society demands for our students.

For the last year and a half, our agency has been involved in serious negotiations with representatives of the community college system to discuss mutual concerns--incidentally, vocational education was only one of several topics. It appears that even though some progress can be made toward resolving programs through interagency negotiations, the basic disease will still remain. Also, from my perspective, the only way the problem can be solved with any degree of finality at the negotiations table is for the SPI to capitulate to the SBCCE demands for control of all vocational programs. I don't believe that would be the

right solution and have no intention of agreeing to such a plan, particularly in light of the constitutional authority of the State Superintendent of Public Instruction. Therefore, I believe the answer to the various symptoms is for this legislature to objectively reexamine the structure and functions of the various state agencies responsible for all education programming and to make some difficult decisions. These decisions must address the necessary correction of the basic faulty structure.

I am prepared to assist you in any way that I can; and I pledge the total resources of the Superintendent's agency to enhance that effort.

cc: Members of Washington State Legislature

STATE OF WASHINGTON

STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

319 Seventh Avenue
Olympia, Washington 98504
John C. Mundt
Director

February 19, 1975

TO: Senate Select Committee on Vocational Education

FROM: John C. Mundt

SUBJECT: Vocational Education - SSB 2463

The subject of administration of vocational education for adults has been debated for years in this state. During the past year and a half the debate has been largely confined to the negotiations between my office and the Superintendent of Public Instruction. Points of agreement have been reached on many concerns.

As was brought out in the discussion with the Senate Ways and Means Committee last Thursday, we endorse and support the Superintendent of Public Instruction in his efforts to extend vocational education to more secondary students.

It was also made clear before the Senate Ways and Means Committee that this office and the Superintendent of Public Instruction agree that the issues are broader than vocational education and really stem from overlapping jurisdiction. We believe that the legislature intended that the community college system which it created should be responsible for all kinds of educational services to the adults of this state, and that the common school system should be responsible for education of the children and youth. This is why I recommend a clear, simple division of responsibility at age 18. I realize this division of responsibility has not yet been completely spelled out, leaving the Superintendent of Public Instruction with some jurisdiction overlapping that of the State Board for Community College Education regarding education for adults. This overlap is most evident in the common school system operated vocational-technical institutes, community schools, and some adult basic education (though most of the latter is provided by the community colleges). Up to this point the staffs of the two agencies have been able to avoid unnecessary duplication of programs through cooperative inter-agency review and control procedures.

SCAN Prefix 234; Information, 753-2000; Director, 753-7412; Deputy Director, 753-3653; Budget & Finance, Student Services Programs, 753-3674; Federal Programs, 753-3678; Management Information Systems, 753-7434; Planning, 753-3675; Policy & Personnel, 753-3650; Publications, 753-3656; Vocational Education, 753-3662

APPENDIX 11

However, the SPI apparently desires to extend this overlap rather than to confine it or even reduce it. This was why, before the Senate Ways and Means Committee the other night, I asked about the money to pay for new skill centers or community schools. I pointed out that community colleges are struggling along at a funding level of $180 per FTE below the average of other states, $130 per FTE below neighboring Oregon. We are not able to give full measure to the present students we have. The K-12 system is also short of money. All the large levies lost the other day. Where will the money for new community schools or new skill centers come from?

Because the problem is one of overlapping jurisdiction, broader than vocational education, and because we have not been able to reach agreement with SPI, some solution is obviously required. I still want to urge your consideration of simply dividing responsibility at age 18 -- that way you would not have to create a new board. If that is not possible in this session, some bill such as Substitute Senate Bill 2463 may be advisable.

Therefore, our reactions to the proposed text of SSB2463 are mixed. The bill deals principally with vocational education and promises resolution of some of the vocational education issues by 1977. This is better than letting the debate continue indefinitely, but falls short of addressing the full scope of the overlapping jurisdiction issue and fails to establish a legislative policy direction regarding overlapping jurisdiction.

If the legislature cannot see its way clear to divide jurisdiction between common schools and community colleges at age 18 during this session, then the following suggestions are offered for improvement of SSB2463:

1. Eliminate Sec. 6 authorizing establishment of independent vocational facilities as this is in conflict with the policy in Sec. 2 stating that a separate system will not be created. The subject should also await the 1977 recommendations.

2. Change Sec. 5(c) to require the state board of vocational education to audit the program review process between SPI and SBCCE, rather than to enter directly into the process as another review step with a delay of 90 days.

3. In Sec. 11, change the moratorium date on new skill centers and vocational-technical institutes to July 1, 1977 to be consistent with the reporting dates established in Sec. 14.

4. In Sec. 7, we would have some amendments to suggest, as noted in Attachment A.

5. In Sec. 3(c), it might be preferable to use the existing statutory definition of "vocational education":

"RCW 28A.09.120:

(1) The term 'vocational education' shall mean a planned series of learning experiences, the specific objective of which is to prepare persons to enter, continue in or upgrade themselves in gainful employment in recognized occupations and home-making, which are not designated as professional or requiring a baccalaureate or higher degree."

This would avoid having two definitions in the law.

Under Sec. 3(d) we recommend the following: "'Adult education' or 'post-secondary education' means any programs and courses whose students are high school graduates or over the age of 18 years." Definitions (f) and (g) can be dropped. Sec. (g) is too limiting.

6. It would be helpful to the new board to provide some guidance or criteria in administering Sec. 11 concerning skill centers. We suggest two provisions in Attachment B.

7. A related question involves community schools. To make it clear that community schools are not intended to develop competitive vocational programs we suggest adoption of a provision such as Attachment C.

JCM:RT
Encs
cc - Members of Washington
State Legislature

ATTACHMENT "A"

Sec. 7. Public school districts and community college districts are encouraged to cooperate whenever possible in the offering of vocational and occupational programs, particularly upon establishment of specialized facility support for such programs. When joint programs are authorized in accordance with provisions of this act, for pre-planning purposes and purposes of compensating public school and community college districts for any resulting additional administrative costs, the state board is authorized, on a showing of need, to allocate up to 10 percent of the total cost of such joint programs for the year preceding the year of implementation and up to two years following implementation of such programs or the operation of such facilities required by such programs.

ATTACHMENT "B"

It is the intent of this law that skill center development avoid any unnecessary duplication and provide more complete usage of existing facilities. To achieve this end, each local area contemplating the development of a skill center shall form a local committee with representation from both common schools and the appropriate community college and shall first consider skill center development on sites operated by either a vocational-technical institute or a community college. Only if that local committee demonstrates that development on such existing sites cannot be accomplished practicably will further sites be considered by the board.

It is the intent of this law that secondary skill centers be operated exclusively for the benefit of secondary students. Any post-secondary programs operated in skill centers shall be under the administration of the appropriate community college district.

ATTACHMENT "C"

Neither the community school program of the Superintendent of Public Instruction nor the community services program of the State Board for Community College Education shall offer post-secondary education which is designed to fulfill any requirements for a degree, certificate, or vocational education which is preparatory, supplemental, or up-grading.

Washington State Council of Area Vocational-Technical Institutes

Statement presented to Senate Select Committee on Vocational Education, February 10, 1975 by Wilbur M. Snyder, Chairman, Washington State Council of Area VTI's.

The Washington State Council of Area Vocational-Technical Institutes was formed several years ago for the purpose of promoting and developing vocational-technical education in the common school system of the State of Washington. We have worked very closely with vocational-technical educators across the state, and particularly the local certificated vocational directors in the school districts. We share our goals and concerns with the Common School Division of the Washington Council of Local Administrators of Vocational Education and Practical Arts, which is affiliated with the Washington Vocational Association. The Vocational-Technical Institute Council asked that I present to you their views on H.B. 415, which was introduced in the 43rd regular session, of 1973.

Since 1967, we have been concerned about the need for additional area voc-tech. institutes in the State of Washington. For several years after '67, it was difficult, with the expansion of the community college system, to get the general public's attention as to what was the primary objective of single-purpose vocational institutions, and the kind of services we were able to provide. Voc-Tech. Institutes stand in contrast to the all-inclusive "comprehensive" approach to vocational education. We focus in on specific job training, with efficient use of facilities, on a year-round basis, with flexibility to start and stop programs as needed, and with service to people of all ages and varied backgrounds, taking them to the point of employability in a practical, efficient way. Our specialized approach was recognized by business and industry from the beginning, and the success of our efforts can be measured by the high rate of employment of our graduates. A Council statement of "What is a Voc-Tech. Institute" was prepared in 1970, and was presented by Mr. Bruce Brennan to the Legislative Budget Committee then. A copy is attached, and I have extra copies for your review.

APPENDIX 12

Since 1967, the voc-tech. institutes in the common school system have all continued to show substantial growth. The Clover Park Voc-Tech. Institute, for instance, has more than doubled its enrollment in this eight-year period. The people of the State of Washington like what they see in Voc-Tech. Institutes. The problem facing us at present is trying to fill the needs of the many people who come to us for training, but who often must be added to our waiting lists. All the existing Voc-Tech. Institutes are in the process of mounting building programs to meet these ever-increasing demands. House Bill 415 was an attempt by the Superintendent of Public Instruction to see that these sought-after services would become more available across the state. H.B. 415 was endorsed by many segments of the business and industry community and by educational groups in 1973.

As you know, H.B. 415 very carefully included safeguards to avoid duplication in the building of these new voc-tech. institutes. The original bill stated that the State Board of Education would require local districts to submit information to document the need, as well as show evidence that there would be no duplication of services already available. In its final form, Engrossed H.B. 415, an additional safeguard was included, which would refer proposals for new voc-tech. institutes to the Council on Higher Education for their approval... (which is the 1202 Commission of Public Law 92-318). Duplication concerns can be solved. Steps have been taken to avoid future duplication between Clover Park and Bates VTI. We exchange information regularly now to be sure that we do not duplicate each other's services in the installation of new programs. On older programs, where we both offer similar courses, graduates are being employed satisfactorily from both schools, and this type of limited duplication appears to be warranted, so far. We feel that the Voc-Tech. Institute has a definite role to play in the vocational education services in our state. We particularly see the need for expansion of this non-graded approach to Vocational Education, where students of all ages are mixed together in the training process. We additionally object to the concept of Senate Bill 2462, proposed also in 1973, which would arbitrarily divide vocational education

across the state into two camps...secondary and post-secondary, with the idea that Voc-Tech. Institutes would have to choose to be one or the other. S. B. 2462 would have allowed the community college system to establish their own single-purpose institutions instead...all post-secondary, of course. The non-graded approach is unique to the common school system, and only under the SPI is the concept likely to flourish. As evidence of this, it should be pointed out that the high school student enrollment in the VTI's (when it was checked two years ago) averaged 26.6%, and was growing. In contrast, before Edison Vocational School was transferred to the community college system in 1967, there were 274 high school students enrolled there, but when checked in February, 1973, there were only 161 such students still enrolled,under the Seattle Community College banner. At the Olympia Voc-Tech. Institute, the same trend is apparent. In the school year 1969-70, the last year that OVTI was operated under the common schools, there were 70 high school students enrolled. In February, 1973, there were only four high school students from Olympia School District and two from North Thurston enrolled at OVTI, a total of six.

H. B. 415 was designed to be sure that specialized and flexible services of vocational education would be available to the total population of the state, with the necessary safeguards to avoid unnecessary duplication. Voc-Education has done very well under the Superintendent of Public Instruction. The services that are provided there have roots in the communities which they serve. The local communities provide not only administration and related services, but financial support as well, with local boards of directors that are responsive to the needs of the local citizens. With the help of general and specific advisory committees, representing management and labor, the voc-tech. institute is truly a grass-roots operation, where the citizens of our state know that their needs come first, where they can affect changes as needed, with the least amount of response time. We know that the voc-tech. institutes are a valuable asset to the State of Washington, and their successful approach should be an example of what can be done. We think H. B. 415 reinforces this concept, and allows for controlled expansion

of these services needed so much today, particularly in this time of increased unemployment. The need is as valid now as it was in 1973.

Thank you.

Wilbur M. Snyder, Chairman
Washington State Council of
Area Vocational-Technical Institutes

VOCATIONAL EDUCATION

WASHINGTON STATE
COORDINATING COUNCIL FOR
OCCUPATIONAL EDUCATION

RESOLUTION 75-[illegible]
Coordinating Council for
Occupational Education
Adopted: February 27, 1975

PREPARED: March 3, 1975

WHEREAS, This Council adopted a position January 8, 1974 to withhold the introducing or supporting legislation addressed to the question of improving the state administration of vocational education, and,

WHEREAS, That action was brought about by the desire of this Council to support tri-agency negotiations that might bring about by administrative resolution a mutually acceptable agreement on these matters between the Superintendent of Public Instruction, and the State Board for Community College Education, and this Council, and,

WHEREAS, It appears to this Council that despite considerable efforts to reach such agreement in the intervening year, reports filed with various Legislative groups and elsewhere indicate that negotiations have not proved successful and hold little further likelihood of succeeding,

NOW THEREFORE, BE IT RESOLVED, That this Council believes further delay is not in the best interests of the program of vocational education in the State, that current threats to the budgets of both SPI and SBCCE as a penalty for their failure to reach accord are an intolerable consequence that cannot be permitted to occur, and that this Council therefore urges that the Legislature enact, in this regular session or the 1st Ex. Sess., corrective legislation that will resolve the fundamental problems existing in state level vocational education management. We perceive those to include a variety of management problems, each of which is capable of being resolved by the strengthening of a single management and planning agency for vocational education.

BE IT FURTHER RESOLVED, That the Executive Officer of the Council is hereby empowered by this Council to implement the aforementioned statement of position. He is to disseminate and support this position in whatever quarters and in whatever manner that in his best judgment will cause it to prevail.

APPENDIX 13

WVA

WASHINGTON VOCATIONAL ASSOCIATION P.O. BOX 160 CHENEY, WASHINGTON 99004

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WVA LEGISLATIVE POSITION STATEMENT

Following are the areas of greatest priority for Vocational Education legislation:

Unified single system under a lay board to effectively administer all vocational education programs in the state and the single system not to be administered by either the SPI or SBCCE.

A lay board, comprised of citizen members representative of various groups of concerned citizens, appointed by the governor.

The board should be given authority to administer state and federal vocational educational funds.

The board should have authority to mandate cooperation and coordination (e.g., SPI and SBCCE and local educational agencies) at both the state and local level.

That vocational education be clearly and specifically defined, as per current state law.

The board should have authority to mandate and facilitate equitable standards and procedures (e.g., program approval, funding, and certification).

3/75

APPENDIX 14